UNIVERSITY
OF PITTSBURGH
LIBRARY

THIS BOOK PRESENTED BY THE
CHRISTINA PUBLISHING SOCIETY
IN MEMORY OF MARY E. RIECK

CALENDAR

OF

STATE PAPERS,

COLONIAL SERIES,

AMERICA AND WEST INDIES,

JUNE, 1708-1709.

PRESERVED IN THE

PUBLIC RECORD OFFICE.

EDITED BY

CECIL HEADLAM, M.A.

PUBLISHED BY THE AUTHORITY OF THE LORDS COMMISSIONERS OF HIS MAJESTY'S TREASURY
UNDER THE DIRECTION OF THE MASTER OF THE ROLLS.

LONDON:
PUBLISHED BY HIS MAJESTY'S STATIONERY OFFICE.

1922.

Day,
q DA25
H5
1708/09
cop. 1

To be purchased through any Bookseller or directly from
H.M. STATIONERY OFFICE at the following addresses:
Imperial House, Kingsway, London, W.C.2, and 28, Abingdon Street, London, S.W.1.
37, Peter Street, Manchester; 1, St. Andrew's Crescent, Cardiff;
120, George Street, Edinburgh.

Price £2 Net.

CONTENTS.

PAGE

CORRIGENDA - - - - - - iv

PREFACE - - - - - - v

CALENDAR - - - - - - 1

GENERAL INDEX - - - - - 569

CORRIGENDA.

Page 20, *line* 13, *for* Bridges *read* Bridger.

,, 29, *line* 33, *for* Pennsylavia *read* Pennsylvania.

,, 120, *No.* 173, *insert* " after Oct. 9th in line 2.

,, 133, *line* 6, *for* Bamford *read* Bamfeild.

,, 248, *last line*, *for* Feb. 10 *read* Feb. 20.

,, 254, 9 *lines from bottom*, *for* ventureed *read* ventured.

,, 304, *line* 1, *dele* signed as preceding.

,, 339, *line* 17 *from bottom*, *for* 554 i. *read* 554 i. (a).

,, 363, *line* 12 *from bottom*, *for* Hain *read* Ham.

,, 465, *line* 6, *for* Lays *read* Luys.

,, 512, *line* 3, *for* 835 i. *read* 835 ii.

,, 556, *line* 5. *Replace line dropped out:* 909 i. Petition of Francis Pouch of Antegua and Daniel Gaschet of

,, 564, *line* 16 *from bottom*, *for* 924 i. *read* 924 i. (a).

NOTE. *etc.* printed in italics in the course of the text indicates that matter merely repeated or of no importance, is there omitted. Words printed in italics between square brackets [*thus*] are suggestions by the Editor in places where the MS. is rubbed or torn etc.

PREFACE.

§ 1.

Statistical Returns.

During the period covered by this volume, returns came to hand from the several Plantations in reply to the series of queries addressed to them by the Board of Trade in 1708. These replies furnish valuable information as to the numbers and increase of inhabitants; kinds of produce and manufactures; fisheries and shipbuilding; ships and illegal trade; movements of ships and the volume and channels of trade between one Colony and another. Returns are given, too, of Patent Offices, and of the number of negro slaves imported and required by the several Plantations.

The Expedition against Canada and Nova Scotia and Newfoundland.

The most important incident with which the documents included in this volume are concerned, is the abortive preparation for a campaign in America. It aimed at the reduction of Canada, Nova Scotia, and, possibly, of Newfoundland. Marlborough was determined to pursue the plan of William III. and to carry on the war in Flanders. But, since 1707, it had been a plank in the policy of the Tories to change the seat of war to Spain and to call attention to the feebleness of Naval action in the West Indies.

We now find, in the summer of 1708, the Whig Ministers, Boyle and Sunderland, taking up Capt. Vetch's proposal for driving the French out of Canada (60, 71, 85).

The idea of an expedition against Quebec had, of course, long been in the air. Proposals to that end had repeatedly been made from the Colonies, as we have seen in previous volumes of this Calendar. The demand came with greatest insistence from New England. For New Hampshire and the Massachusetts Bay were the greatest sufferers on the Continent from the neighbourhood of the French and their Indian allies (19, 60, 533 i., 609).

Rewards for Scalps.

Great indignation, too, had been aroused by the action of the French in paying a reward of £5 to their Indians for the head of every English subject brought in by them, "which the savages cannot challenge without shewing the scalps."

Governor Dudley explains that he had himself set a price of £100 upon the heads of rebel Indians, who after forty years allegiance, had broken out and murdered several families of settlers at the beginning of this war,—"a very far different case from . . . . their treatment of Christians." He threatened reprisals, and his action was confirmed at home. But neither his expostulations nor threats of reprisal had any effect upon the French Governors (19, 30, 533 i., *p.* 238).

New York also suffered, but was, on the whole, less affected by the neighbourhood of the French (60). For the agreement made by Lord Cornbury with the Governor of Canada for keeping the Five Nations and French Indians neutral, threw the burden of defence upon New England. The Council and Assembly of the Massachusetts Bay again sent a protest against this agreement (533 i.)

The Agent of New Hampshire complains, that it had cost the lives of a thousand settlers and the devastation of their plantations, besides the expense of £100,000 (19, *p.* 328). Meanwhile benefit accrued to the "handlers" at Albany, who traded with the French (617).

Demand for the Expedition from the Colonies.

But the New Englanders beheld the fertile Eastern Country abandoned, and their fur trade lost, whilst the privateers from Port Royal ruined their fishery on the coast and paralysed their seaborne trade with the sugar Islands (*p.* 49). Again and again, in a phrase calculated to appeal to Ministers at home, Port Royal is described as a regular den of privateers,—an American Dunkirk (533 i., etc.) Another reason for reducing Nova Scotia was urged. Coal mines of great value were known to be there. Fireing in New England was growing scarce and dear, "soe dear ytt. will be forced to burn coales" (260, 663). The time for an offensive against the French seemed ripe. They were scattered and not numerous. Their numbers indeed were estimated at less than 5000 (217). But an attack by them upon Maine was dreaded, and this might best be countered by the English taking the offensive (60). The Five Nations were ready for the war-path, and, if allowed, would soon extirpate or reclaim the Eastern Indians (533 i.).

Col. Vetch's Proposal.

It was in these circumstances that Col. Vetch came forward with an elaborate report upon the French in Canada and a proposal for an Expedition against them. His Memorial, entitled *Canada Survey'd,* was presented to Ministers in July 1708 (60, 71). In the absence of Lord Sunderland abroad, it was taken in hand by Mr. Secretary Boyle. Vetch was requested to stay in England, in order to expound his proposals more fully (71, 85, 89). *Canada Survey'd,* with its explanatory supplement, is a remarkable document (60, 196). Not only does it review the whole case for expelling the French from America, and summarize the strength and condition of their forces and defences, but it also outlines the plan of campaign which was presently adopted.

The dependence of the West Indian Islands upon the produce of the Continent is pointed out (*p.* 47). As to the cost of the Expedition it is suggested that the saving that would result from the mere cessation of the damages inflicted by the French and their Indians, and of the necessity for continual defence, would pay for the outlay in six months (*p.* 42). The plan of campaign proposed was a combined naval and military movement directed simultaneously against Quebec and Montreal (*p.* 50).

Its adoption.

In Dec., upon Sunderland's return, the Council of Trade reported favourably upon the scheme, so far as it lay within their province (221 i.). Three months later a decision had been taken, and Col. Vetch's Instructions were signed (March 1st, 1709. *No.* 387).

He was ordered to sail immediately for New York. Upon his arrival he was to communicate the plan of the Expedition to the Governors concerned in it. New York, New Jersey, Connecticut and Pennsylvania were to furnish contingents amounting in all to 1500 men.

The Quotas.

These were to be provided with arms and ammunition from H.M. magazines at New York, and to be disposed into four battalions, with which the four regular companies at New York were to be incorporated. Officers were detached from England to train and command them, These troops were to be ready to march from Albany, in conjunction with the Five Nations and River Indians, by the middle of May. A depot of provisions was to be organised at Wood Creek. Meantime, the Governors of New England and Rhode Island were to raise 1200 men, and to prepare transports, pilots and supplies. They were to be ready to embark by the middle of May, and to await the arrival of the Fleet from England, which would bring them arms and ammunition.

Such other preparations as might be deemed necessary were to be undertaken if unanimously agreed upon by Col. Vetch, the Governors concerned, and Col. Nicholson, who had offered himself as a volunteer on the Expedition. Volunteers in the Plantations were to be encouraged (387, 388). In order to stimulate the enthusiasm of the Colonists, they were to be assured that the Governments which contributed towards the reduction of Canada, should have a preference with regard both to the soil and the trade of that country, when reduced (*p.* 232). Instructions in detail and to the same effect were sent to the several Governors after Vetch had sailed (475-478). It is stated therein that "H.M. is now fitting out her Commander in cheif of the said expedition with a squadron of ships, and five regiments of the regular troops, who are to be at Boston by the middle of May." That was on April 28th (*p.* 284). The Commander in Chief referred to was General Whetham (492). Sealed Orders were prepared for him. They were only to be opened if, upon his arrival at Boston, it was decided at a Council of war that the Expedition against Canada was impracticable. In that case, he was to attempt the reduction of Newfoundland (497, 498). In America, expectation ran high.

At the end of June Col. Francis Nicholson and Col. Vetch reported that nothing could prevent the success of the campaign except the too late arrival of the Fleet. They had reached Boston on April 28th. There, as in Rhode Island and Connecticut, the project was received with enthusiasm, and preparations were at once begun in accordance with the plan of campaign (604). Three regiments, raised in the Massachusetts Bay, were uniformed, armed and drilled so effectively that Col. Vetch considered them equal to most regiments in the service (666). From Boston, Vetch and Nicholson proceeded to Rhode Island and Connecticut, and thence to New York. The view that "New York was the only Colony which threw itself into the attempt with hearty enthusiasm" (Doyle, *The Middle Colonies. p.* 345) is not borne out by the reports now published (602-605, 617). The several Governors and the Council and Assembly of New York appointed Nicholson Commander in Chief, with Col. Schuyler as second in command (*p.* 403). On May 26th a force marched out to Wood Creek and began to construct a depot and to build boats and canoes there (666). On leaving New York, Vetch and Nicholson visited New Jersey. There the Assembly, being composed largely of Quakers, refused to contribute their quota of men. They also at first refused, but afterwards passed, acts for £3000, *for the present service and expedition against Canada,* and *for the encouragement of volunteers.* These Acts were only passed with great difficulty, all the Quakers in the House of Representatives voting against them (617). Pennsylvania refused to contribute either men or money (580).

The possibility of the refusal of Quotas had not been unforeseen (497). It was, however, hoped to make up the deficit by raising more Indians. But the opportunity was taken to urge the exclusion of all Quakers from Government (*p.* 405. *No.* 605).

Non-arrival of the Fleet.

At the beginning of July Nicholson and the acting Lt. Governor of New York, Col. Ingoldesby, proceeded to meet the Indians at Albany "whither all the forces are gon up" (629). A month went by, and still there was no sign of the Fleet. All hope of a surprise disapeared. For Col. Nicholson waiting impatiently with his contingent at the Lake side, ready to embark for Montreal in canoes and specially-constructed flat-bottomed boats, had a skirmish with the French and Indians (666).

At last, on Oct. 11th, a man of war arrived bringing letters dated 27th July, which announced that the expedition had been abandoned. The high hopes of the Colonists were dashed. But there was still a chance that all their trouble and the heavy expense of their preparations—estimated at £100,000 apart from the cost of dislocated trade and a three months' embargo on shipping—might not have been wholly in vain.

Attack on Port Royal proposed,

For the Commanders of the Expeditionary forces were instructed to consider whether, with the resources at their disposal, an attack upon Nova Scotia and Port Royal might not still be feasible (794). A Council of War was therefore held, attended by Cols. Nicholson, Vetch and Moody—who had arrived from Newfoundland—the Governors and some of the Members of Council and Assembly of the Massachusetts Bay, Connecticut, Rhode Island and New Hampshire.

and abandoned.

After considering Col. Moody's report upon Newfoundland, it was unanimously decided to defer any attempt against the French there, or for the recovery of the Bahama Islands, until the spring, but to proceed forthwith against Port Royal. The Government of New York and the Jerseys, however, would take no part in the project. And the Navy flatly refused to help. The Commanders of H.M. ships pleaded orders from the Admiralty, some to sail for Newfoundland, and some for New Providence (794, 794 i.-xii., 798, 803, 806). As their aid was vital, there was nothing for it but to abandon all action, and seek consolation in the hope of a renewed attempt in the spring. With this end in view, it was decided to maintain the forts which had been erected at Wood Creek with so much labour and expense, and to send home Representatives from each Government and the Five Nations to urge a renewal of the Expedition. Col. Nicholson was the first to sail, commissioned to press the cause and present Addresses to that effect (794, 794 i.-xii., 797, 798, 803, 806, 922 ii.). In any future Expedition, it was significantly suggested that the ships of war should be obliged to obey the orders of the Commanders in Chief of the Expedition, or at least the decisions of a Council of War, of which the Commanders of ships should be members (798). Vetch in his explanatory supplement had already called attention to the necessity of a careful adjustment of the commands by sea and land, "the want of which hath often occasioned the miscariage of the undertaking" (196). The feeble administration of the Navy, it will be remembered, was

The Navy in the West Indies.

one of the points of attack by the Opposition at home. In the West Indies we have seen frequent examples of the want of fighting spirit. Rear Admiral Wager had recently repeated the bitter experience of Benbow.

Wager's Engagement.

The list of the Spanish galleons and their convoy—fourteen sail of ships, including three men of war, two sloops and a brigantine—engaged by Wager, is given (56 ii., 135). The Captains of the two men of war accompanying him left him to fight them almost single-handed.

The Spaniards trading with the English on the Spanish Main laughed at these two ships of 60 and 50 guns who dared not attack their Vice Admiral of 64 guns, but kept at a safe distance ahead or astern of him (*p.* 38).

Officers Court martialled.

Wager, like Benbow, courtmartialled his cowardly subordinates and broke them—a very favourable sentence, in Governor Handasyd's opinion (68, 135). For the rest of the year the Naval Squadron stationed at Jamaica, and privateers commissioned from thence, were engaged in watching for the Spanish galleons at Cartagena, Vera Cruz, Porto Rico and the Havana, hoping to pounce upon them should they venture to put to sea under French or Spanish convoy, but hoping in vain (56, 68, 451, 542, 649).

Two Minor Engagements.

Apart from numerous captures of merchantmen and packets on either side, two minor naval engagements are mentioned. That of H.M.S. *Portland* off Porto Bello ended successfully in the recapture of H.M.S. *Coventry* with 400,000 pieces of eight on board (451, 483, 542, 679, 872). *Adventure* was less fortunate. Giving chase to *Valeur* off the Leeward Islands, she caught a tartar. When she had lost 117 in killed and wounded, and her officers had been put out of action, the remainder of the crew surrendered to the Frenchmen (487, 529 iii., iv.)

Privateers.

The Naval Forces were helped by privateers in their task of scouring the seas. These were reported to have done much damage to French traders among the West Indies and in the South Seas (720, 720 i.). But there was another side to the picture. Privateers had increased in numbers owing to the encouragement of the recent Act of Parliament. But for this more profitable calling sailors were tempted to desert men of war and merchantmen alike (301, 445, 445 i.).

Shortage of Sailors.

Desertion and sickness thinned the crews of the Squadron at Jamaica to such an extent that ships could not put to sea unless one fifth of their men were supplied from the Regiment stationed there. Governor Handasyd complains again and again that his men "are fatigued out of their lives." Their losses in action, too, were heavy (56, 68, 174, 542, 649).

H.M. Ships manned by soldiers.

Question of Pressing.

To meet the deficiency of sailors, outgoing ships were dispatched with supernumerary crews. But the Admiralty pointed out that the recent Act *for the encouragement of trade to America* deprived naval officers of the power of impressing men for H.M. service, even in the greatest necessity. They therefore instructed the Captains of men of war in the West Indies to leave their stations the moment their complement was so far reduced, that there remained but men enough to carry them home. The plight of unguarded Colonies was left out of account (96, 376). The clause in the Act referred to was interpreted by Governors of Plantations as applying to civil magistrates also. The Council of Trade and the Law Officers of the Crown held otherwise. But in view of the doubt felt, the whole question was referred for decision to the Secretary of State (68, 96, 248, 376, 621, 621 i., ii., 747, 747 i.-v., 753).

Privateers and Pirates.

There were other objections to privateers. For there was always a danger lest privateersmen might turn pirates. It was not only that Peace would throw them out of employment and "leave to the world a brood of pyrates to infest it" (301, 785, 908). But there was also a present temptation to capture a fellow countryman and "sink him without trace" (445, 445 i.).

Governor Handasyd, indeed, reports an ominous increase in pirates off the Spanish coast. Strangely enough, they represented themselves as being so strongly pro-ally in their sympathies that they refused to be tempted by French or Spanish offers. Nothing but an English pardon would satisfy them (785).

The Pirates at Madagascar.

A curious proposal was made concerning the notorious nest of pirates at Madagascar. First we have memorials from the Marquis of Carmarthen urging the suppression of the pirates there, and a resolution of the House of Commons to that effect (557 i., 908, 908 i.-vi.). It was practically impossible to apply force. The application of former schemes for securing their surrender upon promise of pardon had been mismanaged. It was therefore now proposed to appoint some responsible persons to negotiate with them as trustees for their lives and property. This plan was also pressed by Lord Morton and others, and backed by the "wives and relations of pirates and buckaneers of Madagascar and elsewhere" who asked for a general pardon and good guarantees "that their riches may be secured to them on their return home" (620 i., ii.)

Who sups with the devil, should use a long spoon. Lord Carmarthen gave warning of a rival expedition under the camouflaged command of the old pirate, Capt. Breholt. The ostensible purpose of it was to recover wrecked treasure. In this adventure he had engaged the support of Lord Fairfax, Lord Rivers and others. But his real object was to get out to sea and then sail for Madagascar "upon a Scotch pardon for the pyrats there" (908 ii.-v.)

Privateers and Spanish Trade.

Another grievance against the privateers finds frequent expression. Their indiscriminate action off the Spanish main brought to a standstill that correspondence with the Spanish West Indies and trade from Jamaica and elsewhere with the subjects of King Charles III. upon the coast, which it was the policy of England to encourage (53, 60, 68, 69, 87, 174 ii., 649).

The Assiento Trade.

The advantages of a proposal by a merchant of New Spain to settle the Assiento trade in Barbados were recognised. But it was pointed out that it would be contrary to the Acts of Navigation to grant his request for passes for Spanish ships to import bullion thither in return for cargoes of slaves. For negroes, it had been decided in 1689, were merchandize within the meaning of the Act (134, 134 i., 170, 177, 226 i.). Other suggestions for the granting of passes for Spanish vessels to trade in the West Indies were similarly rejected (305, 372, 406, 449, 463). But a Spanish ship with a pass is reported at Newfoundland (*p.* 167).

Passes for Spanish ships.

Export of Grain to Portugal vetoed.

So, too, permission was refused to the Portuguese to purchase wheat and flour in America for their army. For though this would have been a means of helping a member of the Grand Alliance, yet it was feared that their competition might cause a shortage of supplies for the Sugar Islands (761, 779).

Naval Stores.

The problems of developing the production of naval stores in the Colonies, and of preventing the destruction of forest trees suitable for providing the Navy with masts, continued to exercise the representatives of the Crown on both sides of the Atlantic. The Council of Trade invited suggestions from Lord Lovelace and the Governors of New York and New England (17, 20 i., 429, 430). Under pressure from the Surveyor of H.M. Woods, Governor Dudley persuaded the Assembly of New Hampshire to pass a law for the preservation of white pines. But he could not induce the Assembly of the Massachusetts Bay to follow suit. The bill was drawn in the very words of their Charter; but "they would not enact their Charter into a Law" (30, 33, 914 i. *etc.*). Sunderland took occasion to remark that, as the matter was sufficiently provided for in the Charter, it would have been better not to give the Assembly an opportunity of refusing to enact it by a law (670). The Council of Trade rejected the claim of the Assembly that they were not bound by a clause in their Charter, "for if that Charter do bind, and is as a law to H.M. in relation to their rights and priviledges, it does also bind and is as a law to the inhabitants of that Colony" (292).

Preservation of Mast-trees.

The Massachusetts Bay Charter.

In these circumstances, the Council of Trade proposed a new Act of Parliament to supplement the Act *for encouraging the importation of Naval Stores from America* (914 i., ii.).

Peace Negotiations.

The victories of Marlborough and the exhaustion of France compelled the Grand Monarque to open negotiations for Peace in the spring of 1709. The Council of Trade accordingly received instructions to state the English claims to places which were at that moment in the hands of the French, or which had been captured by either side during the war (512). They lost no time in consulting the Agents of the Colonies and preparing the British case (516, 517, 519, 520). From all sides came suggestions and demands. The Hudson's Bay Company had already prepared and circulated their case for reparations and restorations (500, 522, 523).

British Claims.

Jamaican merchants demanded the removal of the French altogether from America,—from the Continent as well as from Martinique and Guadeloupe. But especially the new French settlements on Hispaniola, were instanced as "a sad and grievous thorne in the side of Jamaica" (540). The English title to Dominica, Tobago, St. Vincent and Sta. Lucia was stated (539). The retention of the whole of St. Kitts was insisted upon (546, 547). The damage suffered by Newfoundland and the English claim to that island and fishery were tabulated (548). From Carolina it was urged that the French must be compelled to relinquish their new settlements on the Mississippi. Above all, the demand for the restoration of Nova Scotia and Port Royal was reiterated (533 i. *etc.*). These and all other claims and titles of the British in America and the West Indies were enuntiated in a long and careful report by the Board of Trade at the beginning of June (554 i.).

Provision for Settlement of German Protestant Refugees.

At the beginning of this period estimates were being prepared for transporting to New York Protestants from the Palatinate who had already sought refuge in England (1). The stream of refugees increased in volume. They arrived sickly, destitute and infirm, "without stock or manufacture" to contribute to the wealth of the country (527, 553). Provision was made for their support by the Treasury until a decision should be reached as to their future (495, 504, 527, 551, 561, 680). A Committee was appointed to lodge and relieve them (536-538). Lists of them are recorded (495 ii., 551, 592). Overcrowding produced sickness, and the Board of Trade suggested that a stop should be put to the flow of immigrants until those who had arrived could be disposed of (553).

Several schemes were put forward for employing them. Sunderland suggested that they might be settled in England. Proposals were made to that effect by the Marquis of Kent (485, 570 ii.). The Societies of Mines Royal offered to employ them in the silver and copper mines of Merionethshire and Snowdonia (526, 552 i., 595). The Lords Proprietors of Carolina made a grant of lands for a settlement of "poor Palatines" (687, 719). An offer was made to plant 200 families in Jamaica (657 i.). The Council of Trade, after carefully canvassing the latter proposal, reported in favour of it (704). As an alternative, they called attention to the suitability of the waste lands upon Hudson River. There the immigrants might promote the fur trade and turn to the production of naval stores, whilst by following the example of the French and intermarrying with the Indians, they would prove "a barrier between H.M. subjects and the French" (217, 705). Or the vine-dressers amongst them might cultivate the wild vines in Virginia and elsewhere, and lay the foundation of a new and profitable trade (*p.* 457). Viticulture was, indeed, already being attempted in Pennsylvania, and in Virginia by Mr. Beverley, "whose vineyards and wine all persons are talking of in Virginia" (932).

Viticulture.

Settlement in New York.

When Col. Hunter was appointed Governor of New York, he took up the suggestion of settling 3000 Palatines in that Colony with a view to the production of naval stores. A formal contract was drawn up, binding them to attend to that work, in order to prevent their being decoyed into the neighbouring Provincial Governments (881, 882, 885, 891 i., 915-918). Orders were sent to the President and Council of New York to provide for them upon their arrival. It was distinctly stated that "the expence of it will be answered from hence" (842 i.).

Swiss Refugees settled in Virginia.

Provision was also made for the settlement in Virginia of a colony of Protestant Refugees from Switzerland (601 i., ii., 639, 652, 697, 724).

The Negro Trade and The Royal African Company.

In response to orders from the House of Commons, the Council of Trade made two reports upon the state of the African trade (316, 331, 910, 913). The approaching expiration of the Act of 1697 raised the question of the renewal of the monopoly of the Royal African Company. The supply of negroes was a matter of the first importance to all but the Northern Plantations. The "separate traders", who had paid an *ad valorem* duty of 10 p.c. to the Company, had kept them well supplied, when they would otherwise have been short, and by increasing supplies had kept down prices. They therefore regarded with dismay the Company's demand for an exclusive trade. Grant them that, and, by restricting supplies, they will raise the price to £50 a head and ruin the Island. So the planters and merchants of Jamaica protest (243).

The Company, on the other hand, argued that the competition of the separate traders in purchasing supplies in Africa was responsible for sending up the prices. The 10 p.c. received from the separate traders had not sufficed to meet the charges of maintaining forts *etc.* to which they were bound (331). The returns from the Plantations, in reply to their enquiries of the preceding year, enabled the Board of Trade to state the numbers and prices of negroes imported into each Colony by the Company and the traders, and the numbers required by each. They showed that the trade to the Plantations had been so far neglected by the Company, that, but for the separate traders, the supply of slaves would have been quite inadequate to maintain the production of sugar and tobacco (331, 913).

Stores of War.

Whilst requests for supplies of stores of war continued to be sent home, Governors were strictly directed to make annual returns of the expenditure of arms and ammunition (77).

Packet-boats.

Communications remained as bad as ever. The need of packet-boats for the Continent is emphasised (*pp.* 7, 24).

Patent Offices and Deputies.

The Council of Trade made yet another effort to check the growing evil of granting patent offices in the Plantations to patentees who stayed at home and executed them by Deputy. They very pointedly called the attention of the Secretary of State to the Order in Council of 1699 (15). But the evil went on unchecked (153, 296). Returns of Patent Offices were sent in from the several Plantations. One of the disadvantages of the system is indicated by Governor Parke:—"Tis true if they do not do their duty, I may suspend the Deputies, but then I disoblige their patrons in Great Britain" *etc.* (*p.* 5).

The Tobacco Trade.

The war with France and Spain and troubles in Sweden, Poland and Russia had caused a great depression in the tobacco trade. The planters of Virginia and Maryland especially suffered acutely from the low price of tobacco and the lost markets. They were forced to abandon the planting of tobacco and turned to the manufacture of linen, woollens, and leather. This, in the eyes of the English Government, was always forbidden fruit. To restore the tobacco market the export of that commodity to France was therefore set free, and consumption in the Navy stimulated (216, 216 i., 249, 295, 296 *etc.*)

Irish Trade with the French.

There are some indications of a trade carried on between Ireland and the French, Spanish and West Indies (166, 186, 209, 305, 831 ii., *p.* 5 *etc.*).

Potash in America.

Application was made and recommended for a patent to work potash in America (27, 28, 43).

The Act of Union.

The Act of Union, published and welcomed in the several Colonies, necessitated the issue of new Seals for each (16, 40, 815).

The Council of Trade. Salaries owing.

A copy of a Privy Seal for the establishment of the Commissioners and Officers of the Board of Trade occurs (350). Salaries were still owing for the period from Michaelmas 1700 to March 1702, and were claimed from the Commissioners for stating arrears due from King William. In June 1709, they were also five quarters in arrear (144, 613).

Report to Parliament. Request for decisions.

Order for a Quorum to remain in Town.

The Board took the opportunity of an expected demand for a report upon their work to Parliament to press Mr. Secretary Sunderland for belated decisions upon some of their Representations (294). That Minister returned the compliment some months later by instructing the Secretary to summon absent members back to town. Important business was being delayed by their absence, and the Board was ordered to see to it that sufficient members to form a quorum were always available (759, 782).

Secretary's House: The Old Palace of Whitehall.

The Board proposed that the little white house adjoining to their Office should be assigned to the Secretary of the Commission. This, it was suggested, would aid the dispatch of business and be a security for their papers in case of fire. The details given offer an interesting sidelight upon the history of the old Royal palace of Whitehall after the fire of 1698 and its desertion by the Court for St. James'. They are not referred to in Canon Shephard's History of the Palace.

§ 2

THE AMERICAN COLONIES.

(*For reference to general reports see* § 1. *p.* 1.)

The Massachusetts Bay. Act for preserving woods rejected.

The refusal of the Assembly of the Massachusetts Bay to pass a bill for the preservation of mast trees and its relation to their Charter is referred to above (*p.* xiv.)

The Assembly and Governor Dudley.

In the same session they presented a list of very trivial grievances to the Governor and Council; they granted the Governor the miserable sum of £200 for his support; and, refusing to join with him and the Council in an Address to the Queen, secretly despatched one of their own. It was signed by 22 of their Members only (33, 33 i.-iv.). Dudley remarks, "The value of my Office will make nobody fond of it; but I am not willing to be by such methods bubled out of an honourable post; wherein I have served H.M. faithfully with all diligence and acceptance of the people" (*p.* 32).

Defence of the frontiers.

From New Hampshire came addresses in his favour, repudiating the suggestions of some malcontents against him, and praising both his civil administration, and his pains for the defence of the frontiers (65 ii.-vi.). He was, indeed, able to report that, owing to the precautions he had taken, only one raid from Canada had been made, and that that had been successfully repelled (*pp.* 240, 241). In the course of a return to the queries of the Board of Trade referred to above, he gives a sketch of the calls upon the time of a Governor of New England (391). But the burden of this defence of the frontiers lay heavily upon the Colony. Taxes were seven times higher in Massachusetts than in any other Colony. Though trade was good, and the population steadily increasing, the poorer people were tempted to move across a boundary which was indicated only by marked trees to colonies, like Connecticut, which were less affected by the war. Dudley urges that the charge of the war should be made equal upon all Governments (*p.* 235). To ease the situation and to provide means of paying for English woollen goods, he recommends the building up of a lumber and ship-building trade. To make the Country secure against incursions from Port

Royal and Canada, he suggests the planting of a Colony of Scots in Nova Scotia (391). In the autumn of 1708 the Council and Assembly addressed the Crown to the same effect. They emphasise the drain the war has made upon their resources. Massachusetts and New Hampshire are the frontiers against the French and Indians, but the Neutrality agreement made by Lord Cornbury deprives them of the aid of the Mohawks and other Indians. Further they urge the reduction of Nova Scotia and Port Royal, which is as another Dunkirk for privateers preying upon their commerce. They complain of the barbarity of the French in setting a price upon the scalps of English subjects (533 i. *and see supra p.* vi.)

The Canada Expedition

For the rest, the energies of the Governor and the Colonists were largely absorbed in the preparations for the Expedition against Canada (*v.* § 1).

New Hampshire. Report by George Vaughan.

George Vaughan, sent home, despite the protests of Lt. Governor Usher, as Agent by the Assembly, reported upon the condition and defences of New Hampshire (2, 2 i., ii., 19). The poverty of the country, the decay of trade and credit, and the aggression of the French Indians were advanced as reasons for the sending of a garrison, guardship and stores of war from home, and for the rooting out of "those two nests of French, Canada and Port Royal, settled on ye backs of ye English."

Protest is made against the French reward for scalps (§ 1), and Lord Cornbury's Neutrality agreement, which is held responsible for the murder of 1000 English settlers and the devastation of frontier towns and plantations (19, 65 ii.). Governor Dudley backed these requests, praising the people of this "small and poor frontier Province" as being "very much distinguished from some others by their loyalty and good obedience, and inferior to none for their diligence and industry." He urges the settlement of the Allen controversy (392). An appeal in this case was still depending before the Privy Council (58, 65 iii., 185). Stores of war were ordered to be sent and a grant made for finishing Fort William and Mary. The Governor was directed to exhort the inhabitants to maintain a sufficient guard for it, and

Allen's title; Appeal.

Grant of Stores of War etc.

to take care that the powder duty was regularly paid in kind (54, 185, 332).

Frontier attack repelled.

In Aug. 1708 Lt. Governor Usher was sent into the Province upon news of a design by the French and Indians from Canada to attack the frontiers. He found the people "very secure and remiss," did his best to put them on the alert, and had the satisfaction of repulsing the enemy, but not of being paid his expenses (260, 260 i.).

Act for preserving Woods.

The passing of an Act for preserving H.M. woods is referred to above, § 1. *p.* xiv.

New York. A question of Constitutional procedure.

Reference is again made to a point in constitutional procedure raised by some Members of the Assembly of New York when it was summoned to meet by a proclamation signed by Lord Cornbury whilst in New Jersey. They maintained that an Order signed in one Province could not be of force in another (*pp.* 14, 15). The ruling of the Council of Trade on this subject has already been given in the previous volume (*Pref. p.* xxxii.).

The Militia.

The difficulty he experienced in getting the Assembly to pass an act for settling the Militia, led Cornbury to suggest that the Militia of all Governments in America should be regulated by an Act of Parliament. Till that was done, he declared, the Militia would never be in a satisfactory condition (*p.* 13).

The Bolting Act and its consequences.

In the course of a review of the resources and conditions of the Province, Cornbury attributes the decrease of trade during the last decade to the Bolting Act, and the refusal of the Assembly to renew the protective duty of 10 p.c. The operation of this Act he traces in a curious passage (*pp.* 9, 10).

Cornbury on County and City Members.

He proposes its repeal, and calls attention to the opposing interests of County and City Members. "County Members don't care what becomes of the City provided they have goods cheap." Since the County members, who predominated in the Assembly, had laid full half of the taxation upon the City, he suggests that it would be fair, and would solve the difficulty of renewing the protective Acts, if the number of the representatives for the City were raised so as to equal that of all the rest of the Province (*pp.* 10, 11).

The Five Nations.

Reference has already been made to the objections taken to the neutrality agreement concluded by Cornbury with the French in Canada regarding the Five Nations of Indians. In June, 1708, Cornbury was summoned to Albany to hold a Conference with them (*p.* 14). Only two Sachems attended, and the visit would have been fruitless but for the opening up of trade with some of the Far Nations. Cornbury again represented the necessity of a present to the Five Nations, without which he feared we should lose them before the ensuing year, and again he urged an attack upon Canada (107). The Assembly had plainly showed their opinion of the Governor's trustworthiness by refusing to vote any such present unless they were first provided with a schedule of prices (107). Cornbury was complaining that he had been without letters for over a year when, as we have seen in the previous volume, he was recalled.

Conference at Albany.

Lord Cornbury succeeded by Lord Lovelace.

Meantime, Lord Lovelace, appointed to succeed him, was receiving his Instructions. Amongst them was one for re-granting in smaller lots the lands resumed by the Act *for vacating extravagant grants.* Reservation was to be made in the patents of timber suitable for use in the Navy, and the Governor was directed to procure an Act for the preservation of the woods (20 i.).

Arrival of Lovelace.

Lovelace arrived in December, after a terrible voyage lasting over nine weeks in the most bitter weather (252). He was warmly welcomed, and made a good impression. Any change from Cornbury must indeed have been popular with the majority of the settlers. One of the new Governor's first acts was to restore Byerley, who had fled from the persecution of Cornbury (405). He at once found himself obliged to finance the German Protestant Refugees who had been sent over with him (252, 401).

His death.

But he never shook off the effects of a chill contracted during that winter voyage. He died on the 6th of May, 1709, and two of his sons also succumbed (571, 617, 621).

Ingoldesby's Administration.

The Commission of Col. Ingoldesby as Lt. Governor of New York had been revoked, as is recorded in the previous volume of this Calendar. But he had received no official intimation of the fact. Upon Lord Lovelace's death, he therefore assumed the administration of

New York and New Jersey (578, 621, 711, 712, 738). He lost no time in making hay whilst the sun shone.

Act for regulating fees.

The eagerness of the Assembly to establish their control not only of taxation but also of expenditure had not been lessened by their experience of Lord Cornbury. They now produced an Act *for regulating fees* so restrictive in its provisions that it caused lawyers to decline to practice and reduced all officers of state to penury. Ingoldesby passed it because, as he says, the Assembly "seemed to be very fond of it," and he wished to humour them, seeing that the question of the part the Province was to play in the Canada Expedition then lay before them (*p.* 412). Protests were entered against it, and the Act repealed, instructions being given to the new Governor to reconsider the officers' fees, and, with the Council, to prepare a new bill if need be (768, 769, 879, 901, 903, 924 ii., 929).

Revenue Act. Appropriation clauses.

The Revenue Act having expired, the Assembly, when they came to renew it, following the example of New Jersey, insisted upon appropriating what was voted for the support of the Government. The effect foreshadowed by Ingoldesby was that "those officers that are now the Queen's will soon become the creatures and servants of the people." The reason for the Assembly's insistence is significant: "It's true there has been of late years some ill management with respect to the Revenue and the expences of the Government, whereby a considerable debt has been contracted." Meanwhile the status of officers was as precarious as their fees were inadequate (621, 888).

Ingoldesby's Commission revoked.

In spite of his wise words, Ingoldesby appears to have done his best to follow in the footsteps of Lord Cornbury. Lady Lovelace's arrival with a tale of his high-handed treatment of her as the bearer of the late Governor's papers was followed by a new order revoking his Commission (711, 712, 714).

Robert Hunter appointed Governor.

Robert Hunter, who had been appointed Governor of Virginia, had been taken prisoner and carried into France (137, 295). Happily he was now chosen to succeed Lord Lovelace (721, *v.* § 1).

His Instructions.

By his Instructions (924 i.) Dr. Staats and Robert Walters were restored to the Council, William Peartree being removed for employing deserters from H.M. ships. His conduct and that of the Mayor of New York, a fellow-sinner, was to be enquired into (924 i., 925, 928).

Act *for ascertaining rates of foreign coins* ignored.

In New York, as in New Jersey and other Plantations, the Act *for ascertaining the rates of foreign coins* remained practically a dead letter. It was so far publickly ignored that the Assemblies of New York and New Jersey would not pass any "bill for money, but to be paid at the value it was before the said Act" (*p.* 414). The Governor, Council and Assembly of New York, indeed, addressed the Queen on the subject, and declared that the Province would be ruined if the Act were put in force (157 i.). They therefore passed an Act of their own fixing coin at the old rates. This Act was repealed (399). The Council of Trade pointed out that in passing it Lord Cornbury had acted in direct contradiction of his Instructions (375). Several other currency acts were repealed or held over for consideration for reasons given (879, 901).

Act for regulating coin repealed.

Privateers.

The sea-going trade of the Province was much harassed by privateers. Confidence was to some extent restored by the activity of H.M.S. *Triton's* prize (*p.* 14).

New Jersey.

The advent of Lord Lovelace was as welcome in New Jersey as New York. He opened an Assembly there upon March 3rd, and his Instructions to enquire into their differences with the Governor and Council were gratefully acknowledged in an Address to the Queen as an instance of H.M. justice and good will (64, 440). Lewis Morris had once more been restored to the Council (4, 105). But when Ingoldesby, as Lt. Governor, took up the administration he promptly suspended him from the Council again, in accordance with the desires of the party which had supported Lord Cornbury (578, 819 xiii., 924 i.). Before his Commission was revoked in October (814), he had, at the expense of Lady Lovelace, accepted the salary which had been voted to the late Governor.

Lt. Governor Ingoldesby.

Commission revoked.

In return for this salary he gave a free hand to the anti-Proprietary party in the Assembly. The action of the Assembly with regard to the Quota for the Canada Expedition has already been described (§1).

Quota for Canada Expedition.

Governor Hunter's Instructions.

Hunter, the new Governor, received special instructions to enquire into the "heats and animosities between the Council and Assembly," and to endeavour to reconcile them. If he was unsuccessful in his attempts, he was to report upon the whole matter for H.M. further pleasure therein (921, 924 i.). With this end in view the composition of his Council was the subject of careful consideration. In spite of the protests of the London Proprietors (819, 876), it was decided to retain those Members against whom complaint was made as "disturbers of the people" and supporters of Lord Cornbury to the prejudice of the Proprietors, and a Council was chosen which was intended to hold the balance between the opposing parties (921).

The new Council.

Act for regulating Slaves.

The Act of 1704 *for regulating slaves* was repealed on the grounds that it inflicted inhuman penalties upon negroes (778, 792).

Accounts of 1704-1706.

A statement of accounts of the Province, 1704-1706, was submitted by Mr. Fauconnier to Lord Lovelace (847, 847 i.).

Pennsylvania; Penn and the Three Lower Counties.

Penn's Declaration with regard to the title to the Three Lower Counties is given (12, 12 i.).

Refusal of Quota to Canada Expedition.

We have seen (§ 1) that the Assembly of Pennsylvania refused on religious grounds, and in spite of the recommendation of the Lt.-Governor and Council, to raise money directly or indirectly for the expedition against Canada, or to take any measures for the defence of their own coasts (580). The extreme claims of the Assembly against which Lt. Governor Evans had declaimed (*Pref.* to previous vol. *p.* xxxv.), are sketched by Col. Quary (888). The Secretary of the Province went home on purpose to urge Penn to resign the Government, for things had "now come to that pass that in the opinion of all, the Proprietors must of necessity be forc'd to surrender this Governmt. into the Queen's hands" (888).

The Assembly's claims and W. Penn.

Acts repealed.

The Council of Trade reported upon a collection of Laws passed by Lt. Governor Evans in 1705. Half a dozen of these were repealed as being unreasonable or repugnant to the laws of England (717, 790). At the same time the Board drew attention to the awkward provision of the Charter by which the Proprietor was allowed five years in which to lay his Laws before the Crown, and the Crown only six months to consider and decide upon laws however many, when at length submitted. They also recommended the passing of an Act of Allegiance (*pp*. 460, 461). An Order in Council was accordingly made by which Mr. Penn was recommended to endeavour to get such an Act passed, and to submit all Acts for H.M. approbation "as soon as conveniently may be." A general order was added, that in the case of an Act disallowed upon account of some clause or clauses, but otherwise desirable, notice should be given to the Government of the Plantation concerned, so that the Assembly might re-enact it, if desired (791).

Order in Council as to submission and re-enactment of Acts.

Bounds of Pennsylvania and Maryland.

The long-disputed boundaries of Pennsylvania gave rise to tension on the borders of Maryland and that Province (*p*. 252). Lord Baltimore and Mr. Penn were pressed by the Board of Trade to come to an agreement on that subject (115, 256).

Lord Baltimore petitioned that the Order of Nov. 7, 1685, might be revoked, alleging that it had been dishonestly obtained by Penn (289, 289 i.-iii.). But upon a counter-petition from Penn, this application was dismissed (334, 521, 596).

Maryland; The Assembly.

The Assembly of Maryland met on 27th Sept. They refused to pass a law against the dissemination of false news, prepared by the Governor and Council and aimed at the Roman Catholics and Jacobites (290). Ignoring the business laid before them by Governor Seymour, they busied themselves about the legality of a Charter he had granted to Annapolis, and "ran into heats and divisions." Seymour therefore dissolved them. But most of the Delegates were returned at the new election (Nov. 29). The New Assembly were as stubborn as the old in resisting the claims of the Secretary, Sir T. Laurence; they contented themselves by addressing the Crown on that subject and the guage of hogsheads (290, 410). They revived the Militia Act and the Act for limiting officers' fees only to the end of the next Sessions, "being very anxious to render those who are dependent on the Government as mean as may be."

A new Election.

They would not provide for the itinerant Justices, for reasons given by Seymour (410). The effects of the Act for the advancement of natives, referred to in the previous volume (*Pref. p.* xli.), are reiterated here (*p.* 250). To this Act, to the Roman Catholics, and to the ambition and large jurisdiction of the County Court Justices, Seymour attributes the difficulties of his Government (*p.* 250).

Acts *for relief of debtors*;

Two Acts were passed which were intended to relieve planters suffering from the effects of the depression in the tobacco trade. That *for the relief of debtors* was denounced as injurious to European merchants as well as to inhabitants of Maryland, and as calculated to dry up the fountain of credit, "whereby the trade of that Province will greatly suffer." It was therefore repealed (290, 745, 773, 795).

for ascertaining damages on Bills of Exchange; and *for erecting ports and towns* repealed.

Similarly, an Act for lessening damages on protested bills of exchange, and the Act for establishing ports and towns were repealed, as unjust to creditors and merchants (745, 880, 904, 905).

Roman Catholics and the Pretender.

Seymour took a census of the Roman Catholics in the Province (131 iii.). He observes that they were hoping for the success of the Pretender, of whose attempt they had information long before those not in the secret (131).

Death of Governor Seymour.

He died on 30th July, 1709, after a long illness (707).

Col. Quary's Report.

Col. Quary, in a letter dated four months later, attributes the divisions of the Province to the ill-conduct of the Governor. He gives a summary of events following upon his death. He describes how he urged the President and Council not to make a Sessions, but to await the arrival of a new Governor. They, however, struck a bargain with the Assembly, and proceeded to pass several Acts (888).

Rhode Island; Illegal trade.

Rhode Island gained credit for its readiness to take its share in the Canada Expedition. But it retained its bad name as an emporium for illegal trade: "Tis a place where all roguerys are committed, and great quantitys of goods from Portugall are landed there, and so convey'd to severall parts" (268).

Acts to be printed.

In the course of a reply to the queries of the Board of Trade, it is noted that the Acts of the Colony are about to be printed (230).

Virginia; Col. Hunter a prisoner in France.

Earl of Orkney, Governor.

Drought and Distemper.

A general Fast.

When the new Governor, Col. Robert Hunter, at last set sail for Virginia, he was captured by a French privateer and carried prisoner to France (Aug. 1707). Grants out of the Quit-rents were made on account of his salary and loss of equipment (137, 295). Exchanged at length for the French Bishop of Quebec, he was appointed Governor of New York upon his return to England (121). The Commission of the Earl of Orkney as Governor of Virginia was once more renewed (897, 926). Whilst awaiting the advent of a Lt. Governor, the country continued to be efficiently administered by the President of the Council, Edmund Jenings. In the autumn of 1709 he was able to report that the country was in perfect peace and quiet, in spite of a prolonged drought which had involved a shortage and necessitated an embargo upon the exportation of grain. A general Fast was appointed in the spring, for intercession on account of a "dangerous pestilential distemper, which continues to rage to the great consternation of all" (137, 765, 765 ii.).

Reversion to old method of granting lands.

Amongst the Instructions prepared for Governor Hunter, was one directing him to revert to the old method of granting lands (285, 297, 346 i.). This was in accordance with the representation of the Council of Virginia (765, *p.* 161).

Act *for settling towns and ports* repealed.

So far the views of the Colonists were considered. But the Act *for settling towns and ports* was repealed, when the Commissioners of Customs reported that it might lead to the development of woollen and other manufactures and distract the planters from growing tobacco (661, 883, 906).

Viticulture.

Mr. Robert Beverley's experiments in viticulture upon the highlands of Virginia were the subject of great interest in the country (932).

Swiss Protestant Refugees.

An allotment of lands was ordered for the settlement of Swiss Protestant Refugees on Potomac River (601, 652, 697, 724).

Privateers and Guardships.

The trade of Virginia suffered severely from enemy privateers. Almost every small vessel, inward or outward bound, was intercepted. One merchantman was even chased from his anchors at the mouth of York River. The shoal waters at the mouths of the rivers enabled privateer sloops of light draught to operate within the Capes and in sight, but out of gun-shot, of H.M. ships of war, which were too bulky to follow them (*pp*. 96, 162). In response to urgent appeals, and in spite of the many pressing calls upon the Navy, the Admiralty ordered a sloop to be bought in New England, which would be able to defend the shallow seas in combination with a regular guardship (254, 421, 608, 668).

A raid by privateers.

Emboldened by the success which had hitherto attended them in the Virginian Rivers, French privateers were reported to be preparing a raid in force in the spring of 1709. Successful dispositions of the Fleet had driven them from the Channel and English coasts. They now sought the least well-defended shores of America. The moment selected was when the men of war had returned home as convoy of the merchant fleet. There was great consternation in Virginia. Such measures of defence as were possible in the absence of a naval force were taken by Col. Jenings.

The Militia and watches were organised on land, and a brigantine commissioned.

These preparations sufficed to damp the ardour of the privateers, who turned away to plunder the coast towns of the neighbours on either side (421, 571).

Indians.

Pressure was put upon the Tuscoruro Indians, suspected of a murder in the previous year, by the prohibition of trade with them. The Saponies, returning from a migration to the West, were taken under the protection of the Dominion and settled upon Maherine River (*p*. 97).

Virginia and Carolina: Boundary Commission.

Commissioners were ordered to be appointed, and to be paid out of H.M. Revenue, for settling the long-disputed boundary question with Carolina (285, 297, 434, 435).

Indian Traders.

Another serious difference had arisen over the treatment of Virginian Indian traders by that neighbouring Colony. A duty, stated by the one side to be small and by the other to be prohibitive, was laid by the Government of Carolina upon skins exported from that province. This was applied to goods in transit to Virginia in the course of trade with the Southern and Western Indians. It was from this profitable trade that the greater part of the revenues of the College of William and Mary were derived. With those Indians Virginia had traded "before the name of Carolina was known." To enforce payment of the duty, some skins belonging to Virginian traders were seized. It was suggested by the Virginians that Carolina aimed at engrossing the fur trade. The Council of Trade reported that it ought to be left open to Virginia (216, 216 i., ii., 682, 716, 750, 765).

Quakers and Commotions in North Carolina.

"Great commotions" are reported from North Carolina, where, it is said, the Quakers had set the country in a flame and everybody but themselves in arms (*p.* 98).

Neighbouring Indians.

In the course of their replies to the queries of the Board, the Government of Carolina describe their relations with the neighbouring Indians, and also the fortifications of Charlestown. They ask to be supplied with guns and ammunition, "which is all we want to make Carolina impregnable" (739).

Projected attack by French and Spaniards.

Warning was sent from Bermuda of a projected attack by French and Spaniards from Vera Cruz (411, 411 i., ii.).

Nairne's report.

A survey of the relations between Carolina and the French at Mobile, and of the Indians on either side was communicated to the Secretary of State by Thomas Nairne (622). The writer proposed the settlement of a new Colony near the Mississippi. In a curious passage he refers to the high prices given to friend Indians by English traders for Indian slaves, and observes "Some think it both serves to lessen their numbers before the French can arm them, and it is a more effectuall way of *civilising and instructing,* then all the efforts used by the French missionaries" (*p.* 422).

Indian Slave Trade.

Nairne was a severe critic of the Governor, Sir Nathaniel Johnson. His administration he regarded as destructive of the welfare of the Colony. He soon had to suffer for his opposition. Abuses in this Indian Slave trade, in which the Governor was suspected of having a share, led to the passing of an Act intended to rectify them. By this Act Nairne was appointed as an itinerant magistrate to do justice as between the Indians and traders. "This was a peice of magistracy exposed me at once to the hatred of the Governor and traders." He was clapped into gaol on a trumped up charge, and refused bail (662).

Charges against Governor Johnson.

Johnson is accused of arbitrary management of the Law, and also of having granted a commission as privateer to a well-known pirate (662, 831 ii.).

Illegal trade.

Illegal trade with Portugal is reported (257, 268, 284).

Col. Edward Tynte, Governor.

In the mean time Col. Edward Tynte had been appointed Governor. Amongst his instructions was one in which he was particularly directed to protect the Indians and to cultivate their friendship (424).

§ 3

THE WEST INDIES.

(*See also preceding Sections*).

Bahama Islands.

The Bahama Islands were practically derelict. American traders found their passage to the Gulf of Florida and the Continent generally was menaced by the threatened settlement of Spaniards there. They petitioned that those Islands might be resumed to the Crown and New Providence fortified (270 i.). At present, the few remaining inhabitants were exposed to raids by French and Spanish privateers, some of whom tortured men and women alike with the most frightful cruelty in order to force them to reveal their hidden property (176 i., 270 i., 448, 472). The Council of Trade once more called the attention of Ministers to the neglect of the Proprietors and repeated the arguments for resuming the Islands to the Crown. In the mean time they urged the dispatch of a Military Governor with a Royal Commission and a Company of Foot, to prevent them falling into the hands of the enemy, and to repair the Fort (340, 344). Orders were presently sent to the Governors of New England, New York and Virginia "to use their best endeavours to recover" the Islands from the enemy, and to use H.M. ships upon their coast for that purpose (658. *v. supra. p.* x.)

Barbados. Crowe's misgovernment.

Ignoring such warnings as the reprimand for his dispensing Mr. Holder from the judgment passed against him by an Act of the Legislature (88, *and cf. Pref. to previous vol. p.* xlvii.), Mitford Crowe continued his career of arbitrary and corrupt government. In August, 1708 three Members of the Council of Barbados—William Sharpe, Alexander Walker and the Rev. Samuel Beresford—presented to him in Council a detailed protest against his irregular procedure in the Courts and his general misgovernment (126, 126 i.). Crowe waited till the packet had sailed, and then suspended them (156, 178, 179).

He suspends the Three Councillors.

To charges so serious he made no haste to reply, but contented himself with dispatching an Address of the Assembly in his favour—an Address, the three Councillors complain, passed without investigation upon an imperfect abstract of their representation (96 i., 126, 141 iii.).

Reply to their charges.

Over two months elapsed before he dispatched his defence (180, 180 ii-viii.). Meantime, the Council of Trade had censured his delay, and an immediate answer, with depositions on either side, had been ordered (210, 224 i., 248, 267). But whilst the hearing of the case brought against the Governor was thus delayed, his suspension of the Three Councillors was promptly revoked. Their procedure had been correct and their language careful. It would be an evil precedent if, merely for making a complaint, Councillors were to be suspended, "for thereby the Governor will be left without any sort of cheque in the administration of Government" (352 i., 356, 370).

The Three Councillors restored.

Crowe and The Assembly

In their Address (96 i., 141 iii.), the Assembly had enumerated certain grievances arising out of the maladministration of Sir B. Granville, upon whom they threw the blame for the difficulties still felt from the issue of the paper money. Crowe was ordered to attend to these grievances (248). But the faction in the Assembly which had at first intended to oppose him, had by this time resolved to make use of him as their tool. His assumption of the dispensing power had given them a hold over him (126 i., 156). Contrary to the Instructions which forbade Governors to accept any presents, Crowe had already received several votes of money "£500 for furnishing his cellars," and so forth (248, 583 xi., 895).

A New Paper Act.

A new method was now devised for evading this Instruction (156). The Three Councillors had protested against the introduction of a new Paper Act, which, as they alleged, was about to be proposed, to the utter ruin of the country (*p.* 85). The Assembly had denied that any such thing was contemplated (*p.* 99). Yet almost immediately afterwards a bill for a new issue of paper money was brought in. The Three Councillors pointed out that this was simply a device intended to enrich the Governor, Treasurer and others in the secret at the expence of the taxpayer and the credit of the country (156). The inhabitants of Bridgetown protested against the bill.

But it was passed none the less; and the protestants were rewarded by being taxed four times more heavily than ever before (583 xiii.). The Assembly then expired, but in order to secure their re-election, the Representatives took care not to vote the sums needed for carrying on the Government of the Country (396).

Delay in restoring the Councillors.

The new Assembly met in May, 1709, and passed an Address protesting against the Order for restoring the Three Councillors (502, 513 iv.). Crowe delayed obeying the Order. There were several causes, in which he was himself concerned, which awaited determination in Council. There were votes for presents to himself, and for carrying on the campaign against the Three, which had to be passed before they were admitted. An address in their favour, presented by Col. Christopher Codrington, was therefore received with an outburst of "scurrilous Billingsgate language" (*p.* 229), and Crowe wrote to the Council of Trade that he dared not re-admit them, for fear of a riot (513). But he lost no time in turning out 15 Justices of the Peace, without the consent of the Council and contrary to an Act passed by himself. They were those to whom the Three Councillors might have been expected to apply for the taking of depositions in support of their complaints against him (583 ii.).

Crowe reprimanded.

Bribery and Corruption.

He was twice sternly called to order and bidden to obey the Queen's commands (618, 677). He was involved in many lawsuits in connection with his wife's property, and was accused of sitting as Judge in his own cases, and of arbitrary and corrupt interference with the process of the law when prompted by bribes offered to himself or his wife (583 xiv. ff).

The Judge to whom Crowe had referred his own case was removed (651, 664, 681). In spite of the rebuke of the Council of Trade, he exacted from the Naval Officer yet another payment on account of his office, and was said to have permitted a sloop to sail which was under seizure for illegal trade (583 ii.).

Crowe recalled.

Finally he was recalled, to answer these complaints before the Queen in Council (694, 696, 764), as well as a serious double charge of indecent assault and abuse of his powers as Governor preferred against him by John Sober (653, 700, 723).

Presents of citron-water.

There are several references to the dispatch of dozens of citron water as presents to England (124, 248, *p.* 100. *cf.* 183, 487).

Act *for appointing Agents* repealed.

The Act *for appointing Agents* was repealed (861). The reasons are given in a careful report by the Council of Trade (837), together with a history of the claim of the Assembly to the right of nominating agents to solicite their affairs in England, exclusive of the Governor and Council. If that claim were admitted, they contend, it would create "jealousies and divisions in the several parts of the Legislature," whilst the Governor and Council would be led to appoint distinct agencies of their own —a system which would result in inevitable confusion. The Governor had done wrong in passing such an Act (837).

Patent Offices.

Complaints were made of encroachments upon the rights and perquisites of patent offices by several new laws (326). Directions were given for the repeal of the Acts complained of, and the Governor was instructed to protect the place-holders (568, 582). The Assembly replied, claiming an ancient right and privilege, and declaring that the appointment of all Marshals by the Provost Marshal General led to extortion and abuse (857 i.).

The Secretary dismissed, and restored.

Another holder of a patent office, Alexander Skene, the Secretary, was convicted of bribery and extortion and dismissed from his post (29, 97). But he promptly petitioned for, and was granted a rehearing of his case (140). Some extenuating circumstances were now admitted, and he was restored, on the assumption that he had been punished enough and had learned his lesson (369, 482).

Lists of Baptisms, Burials and Causes.

Long lists of baptisms, burials and causes in the Courts are indicated (96 ii., iii.).

Dominica, St. Vincent, Sta. Lucia and Tobago.

Dominica was included in the Government of Barbados. From that island came an Indian chieftain to visit the Governor. The English title to the Island, as well as to St. Vincent, Sta. Lucia, and Tobago, was stated. The allegiance of those islands, Crowe declared, was firm; but they are described as nests of cannibals and runaway negroes, whose cruelties were encouraged by the French (396, 539, 554 i., 709).

Bermuda; Changed economical condition.

Bermuda had an uneventful year. But a petition for the removal of the restriction of loading and unloading vessels to St. George's, points to the changed economical circumstances of the Island. The virginal richness of the soil having been exhausted, tobacco could no longer be grown, and the industry of the place turned to the production and export of salt, cabbages and onions (231, 231 iv.).

The case of the Secretary.

The feud between the Governor and the Secretary, Edward Jones, continued. A petition for the removal of the latter was referred for consideration (231, 231 iii., 643 *etc.*). The Governor complained that his correspondence was intercepted and tampered with (389).

An epidemic at Jamaica.

Jamaica suffered much from an epidemic, the symptoms of which are described (227, 649, 912).

Councillors not to be Factors of the African Company.

In accordance with the Act *for settling the trade to Africa,* directions were sent for the removal of such Councillors as refused to resign their agencies for the African Company (444, 453, 466, 912 *etc.*).

The Governor and Escheats, *etc.*

Governor Handasyd received a reprimand for his management of lands escheated to the Crown, in the form of an Additional Instruction (67 i.). He complains of several other checks from home. But after he had suspended the firebrand Totterdale who was playing the popular part of opposing the authority of the Crown, he was able to announce that he was now on better terms with the Assembly than at any previous time during his Government (451, *p.* 102). They voted some arrears and revenue, and renewed the Quartering Act (451).

Suspends Totterdale.

The Assembly

Handasyd applies to be relieved.

For himself, and for his regiment, he again repeatedly applied to be relieved. According to the promise held out by Royal Proclamation, the relief of the Regiment was already four years overdue. It had suffered severely from sickness and fatigue, as well as from losses in action. For the lack of sailors in the Naval Squadron compelled the ships of war, as we have said above, to rely upon soldiers for a third part of their complement (227, 339, 451, 542, 912).

Rumours of attack by the French.

There were several reports that an attack by the French was imminent (171, 227). With the Regiment thus depleted and three out of the five men of war left by Admiral Wager, when he sailed, practically useless for want of crews, the Island was in a somewhat parlous state of defence (720). Handasyd saw to the repair of the fortifications, and began a new line for guns at Port Royal (542).

Defence.

Trade with the Spaniards.

Attempts to trade with the Spaniards on the coast were persevered in, but without much success. The Spaniards said they had no money with which to buy British manufactures (542 *etc.*), and the action of the Jamaican privateers, referred to above, who did not distinguish between French and Spanish ships, did much to check commercial intercourse (100). The Council of Trade urged the Governor to see that the clause in the Act *for the encouragement of trade to America,* whereby provision was made for trading with the Spaniards, was enforced. Further legislation was contemplated with that object in view (100, 111, 474).

A rich convoy.

Trade and privateering together brought riches to Jamaica. We read of a convoy sailing with £200,000 sterling in bullion on board (142).

Act *for quieting possessions* repealed.

The Act *for further quieting of possessions* was repealed, with an intimation that if an amended Act were passed it would receive the Royal assent (834, 858).

Leeward Islands. A General Assembly contemplated.

Writing from the Leeward Islands at the beginning of this period Governor Parke explains that he cannot call a General Assembly of the Four Islands until he has a man of war at his disposal (5). But in Nov. 1709, in order to avoid the *impasse* with Antigua and the claim of the Assembly of that Island to the negative voice, he announces his intention of summoning a General Assembly to make laws for the whole Government (873).

Leeward Islands. Governor Parke and the Assembly of Antigua.

Whilst in Barbados the Governor sided with the Assembly against the Council, in Antigua the Assembly entered upon a quarrel with the Governor and Council. According to Parke, Col. Codrington is the villain of the piece. Stimulated by him and his party, the Assembly brought in a bill of privileges, by which they claimed to act as a Court of Judicature, and to fine and imprison anybody who reflected upon their House. They also denied the Crown the right of the negative voice. This they claimed for their Speaker. They offered to give the Governor a handsome present and his house rent if he would pass the laws they desired, and sacrifice the Queen's Prerogative. Otherwise, he would receive nothing. "None of these Governments give something for nothing" he observes, and urges that, to secure their independence, Governors should be paid a fixed and sufficient salary by the Crown and receive nothing from the inhabitants (5, 117, 117 i.). As for the Assembly, he offered them all the privileges of the House of Commons, "but they are for the privileges of the Lords, and the Queen's Prerogative too" (487).

Codrington's Party.

Parke suggests some of the motives which actuated Codrington and his party, and explains the dilemma in which it was intended to place him (116, 117). They were determined, he says, to get him removed from the Government; and so much, indeed, is evident. His chief offence, he says, in their eyes was that he upheld the Royal Prerogative and put down illegal trade (*pp.* 105, 106, 137). Also, as a champion of the smallholders against the large landowners, he has brought a wasps' nest about his ears (182). Certainly, the charges brought against him show extreme vindictiveness and are frequently frivolous and ill-founded.

Their intrigues and bribery.

Complaints against Parke.

First series of Charges against Parke; He is cleared and commended.

Upon the first batch of complaints against Parke, the Council of Trade accepted his explanations and the Addresses of the Lt. Governors and Councils of Antigua and St. Kitts in his favour. They found not only that he had completely cleared himself, but also that he deserved commendation for his zeal for H.M. service and his great care for the good and security of the Islands under his Government (91, 116, 116 i.-ii., 193, 194 ii., 367, 381).

Second and Third Series.

A few weeks later, March, 1709, a whole series of complaints against him were secretly brought home by Mr. Nivine (443 i.-iii., 459 i., 465 i., 484). They taxed him with tyrannous and corrupt maladministration. The charges were got together in a clandestine manner by Codrington's party, and signatures obtained to them in the most reprehensible fashion. Both the Governor and Council were kept in ignorance of their nature (116 i., ii., *pp.* 76, 104)

Nature of the charges.

Parke's reply.

For Parke's reply in detail, and that of the Council on his behalf, we must turn to *Nos.* 532, 589 i., 597 i. He asked leave to return home and answer the charges in person (488, 597). Some of them, even after they had been combed and edited by Codrington, would appear to have been frivolous or malicious misrepresentations. But they bear witness to the heated feelings of the people (532). Parke says that the principle of his opponents was to throw enough dirt in the hope that some would stick, but that they did not really rely upon their articles. In Antigua a riot was organised in the hopes of making his position intolerable (*Nos.* 183, 487, *p.* 107).

Presents sent Home.

For home consumption, £5000 was subscribed "to bribe me out" (*pp.* 105, 106), besides "a vast quantity of citron water." In fact, Col. Codrington had bought up all the citron water in Barbados, and Parke himself had difficulty in obtaining any when, in his turn, he wished to make a present to Mr. Secretary Boyle! (183, 487).

Illegal Trade.

This money and these presents were subscribed by people like Codrington, Hodges, the Lieutenant Governor of Montserrat, Chester and others, who had good reasons for getting rid of him. Codrington, whose patron was Lord Peterborough, whilst Parke's was Marlborough (852), wanted the Government for himself; he objected to Parke's enquiries into his title to Barbuda; and feared his making him refund monies due for prizes taken under his administration (116).

Everybody who was implicated in illegal trade with Guadeloupe and Curaçao was ready to pay heavily to get rid of a Governor who took pains to prevent it. By such trade "old Codrington got all his estate" (*pp.* 105, 106); Hodges and Chester were deeply concerned in it;

whilst Col. Johnson, the late Lt. Governor of Antigua, had openly suffered it. As for stopping it, that was not easy for a Governor left without privateers and often without a man of war (192, 193, 487).

It is to be observed that one of the charges against Parke himself is that he traded with the French and with Curaçao by means of flags of truce. His own account of those transactions is not convincing (*p.* 77).

He sent home addresses which he claimed proved that three out of the four Islands esteemed him a good Governor, and was able to assert that in all his public transactions he had had the support of the Councils (487, 488).

Complaints from St. Kitt's.

Complaints, however, against his exactions and unbridled behaviour came also from St. Kitts (625, 626).

Replies called for.

Upon the whole matter, replies and evidence by both sides were ordered (630).

H.M. Regiment in the Leeward Islands.

One of Parke's enemies was the Colonel of the Regiment stationed in the Leeward Islands. Parke complained of his absenteeism, and that of the officers, and of the neglect of the soldiers' clothing and pay. The Council of Trade represented the necessity of their return to duty. The Islanders, though very anxious for their protection, refused to pay for their quartering (5, 191, 487).

Attempt to assassinate Parke.

Nivine's complaints were to be heard on Sept. 26th, 1709 (730). But before that date arrived, an attempt was made to assassinate Parke in Antigua. Disappointment caused by the delay through Nivine being carried prisoner into France had already led to an attempt to shoot the Governor in the previous year. Disappointment on hearing that Parke was to have liberty to answer the charges brought against him, led now to another attempt. A runaway negro was put up to shoot him from behind a hedge at night. His horse, starting at the flash of the gun, saved his life. The bullet pierced his arm. The negro and the principal conspirators were spirited off the Island (741, 852). Whatever Parke's faults of conduct and temper may have been—and his correspondence reveals him as arrogant, hot-headed, high-handed and unrestrained in speech—several incidents show that he had to deal with a violent and unruly population. In view of the crime which was shortly to occur, it has to be remembered that Lt. Governor Johnson also was murdered, and his murderer went unhanged. The Provost Marshal was forced to fight several duels before he could perform his duty unmolested. The Chief Justice himself is described as no lawyer, but one who had murdered an unarmed man and been pardoned by Codrington. "There never was any inhabitant that ever I heard of brought in guilty of murther"; says Parke, "There was a merchant once they did bring in guilty, the reason they gave, he had sold his goods too dear" (150, 182, *pp*. 310, 311, 387). The unwillingness of the inhabitants to convict any of their fellow-planters for crime or debt was, in fact, according to Parke, one of the chief causes of the trouble between him and them. An instance of this was the murder by Chester of one Sawyer, who met with the fate of Mr. Bardell. Chester was acquitted by a packed jury. Parke's interference on this occasion was made the grounds of one of the articles exhibited against him (*p*. 310). Another grievance, he declares, was his holding of Courts. The Islanders' idea of justice was that nobody outside of the Island must be allowed to recover a debt (*p*. 107). Their law *for establishing Courts* was skilfully adapted to this end. Parke's vigorous criticism of this Act was endorsed by the Attorney General, and the Act was repealed (25, 84, 99, 182, 250, 264, 269, *p*. 385).

Act *for establishing Courts* repealed.

Elections of Representatives; Antigua.

The rejection of the bill *for ascertaining the elections of Representatives* was approved by the Council of Trade; but in reference to the case of an Assemblyman whom Governor Parke had refused to swear on the ground that he was not a freeholder, the Board observed that the Assembly was the proper judge of the qualifications of its own members, and that, where there was no law to direct in any particular case, it would be safest for him "to follow the antient custom of the Island" (245).

Minutes of Council and Assembly.

The blame for delay in sending home the Minutes of Council, Parke throws upon the shoulders of the Secretaries of the several Islands (*pp*. 3, 5, 311, 368). One of these was the Deputy of Sir Charles Hedges.

Parke has some pertinent observations on the inconvenience of Patent Offices (*v. supra*). As for the Minutes of the Assembly of Antigua, not only were they very irregularly kept, but the Assembly refused to allow copies to be supplied to the Governor (487).

Nevis; attempts at a Moratorium.

In Nevis, the planters finding themselves in desperate straits after the raid and hurricane, endeavoured to adopt desperate remedies. They brought in a bill for establishing a moratorium and shutting up the Courts of Law for three years. Governor Parke refused to pass it, and was commended by the Council of Trade for so doing (187, 188, 209).

The grant in aid of Nevis and St. Kitts.

To relieve the distress of the sufferers from the raid and hurricane at Nevis and St. Kitts a grant of provisions and building materials was despatched from home. Strict directions were given for securing an equal distribution of this bounty, and reference made to the suspicion that there had been embezzlement of some of the former grant of provisions (127, 130).

Retention of French Part of St. Kitts urged.

The Hostages from Nevis.

In view of the Peace Negotiations, the importance of retaining that part of St. Kitts which had been captured from the French was strongly urged. Attention was also called to the unhappy fate of the hostages taken from St. Kitts by Iberville (534, 546, 547, 554 i.).

St. Eustatia captured by French.

In Nov. 1709, news came of the capture of St. Eustatia by some French privateers, when an attack upon the Leeward Islands seemed probable (865, 873).

Newfoundland: Custom House Office appointed.

A Custom House Officer for Newfoundland was appointed in Aug. 1708, in the hopes of preventing illegal trade when a Court of Admiralty should be established there (119).

Complaints against Major Lloyd.

Some complaints were lodged against Major Lloyd. He was charged with hiring soldiers out to work and robbing them of their pay, and of treating the inhabitants like slaves. The Commodore, however, upon enquiry found that these complaints were not justified (158, 158 i.-xx., 223, 911 ix.).

Major Lloyd on the security of St. Johns.

After the departure of the fishing fleet and convoy, Major Lloyd reported, Nov. 1708, that about 700 inhabitants were going to pass the winter under the protection of the forts in St. Johns. He had strengthened the forces under his command by enlisting some soldiers on the spot. Placentia was reported to be weak, and weakly garrisoned. So good was the position, that no danger from the French was to be apprehended. "If the enemy hurt us this year, I'le allow ye fault to be laid to my charge" (152, 158, 195, 195 ii., 859 iv., 890 ii., v., vi.).

Capture of St. Johns.

Five weeks later St. Johns was surprised and captured by a force of 160 Frenchmen from Placentia under the command of M. St. Ovide de Brouillan (Dec. 21st, 1708). Lloyd was carried as prisoner of war to Placentia (345). The first account of the affair reached Whitehall at the beginning of February (348). It definitely suggested treachery on the part of Major Lloyd. Detailed accounts arrived later (890 ii.-ix., 911 ix.). They establish the negligence of Lloyd, if not his cowardice and treason. In a cryptic letter he suggests treachery elsewhere (890 ix.).

Lloyd's responsibility.

Attacks upon Ferryland and the Isle of Boys repulsed.

Attacks upon Ferryland and the Isle of Boys were successfully resisted by the inhabitants (859 i., 890 ii.).

Defences of St. Johns demolished.

The French demolished the Castle and Old Fort at St. Johns, and removed the guns. The inhabitants were held to ransom by Brouillan, and hostages taken to Placentia. Their treatment is described (859 i., 890 ii.-iv.).

Reports upon the Fishery.

Commodore Mitchell made his report upon the Fishery in 1708 (223 i.-xv.). Owing to the capture of St. Johns, no full report was to be expected in 1709 (567). But Commodore Taylor sent in a report which shows that the number of quintals of fish made fell from 135,934 to 90,364 (859 ii., 223 iv., 890 iii.). He persuaded the inhabitants of St. Johns, Quidi Vidi and Petty Harbour to rebuild their winter houses in the Old Fort, which he reconstructed with the aid of sailors from H.M.S. *Litchfield* and *Rye* and the fishing ships, mounting eight guns upon it (859 i., 922). This was done in response to a petition from the Fishing Admirals (890 vii.). He also left a store of provisions against the winter.

Old Fort rebuilt.

John Collins appointed Governor by the Commodore.

Before leaving, Commodore Taylor commissioned John Collins to act as Governor in his absence, and other officers to act as Governors in the several harbours. They were all first chosen by the inhabitants themselves (756, 859 i., 911 xv.).

Expedition to reduce Newfoundland.

The reduction of Newfoundland was part of the plan laid for the Expedition which came to naught, and is referred to *supra* § 1. Col. Moody, who had been sent out to St. Johns with stores of arms and provisions, put the case of Newfoundland before the Council of War at Rehoboth (602-4, 794 i., 922 i., ii.). He reported that he had settled about 900 men with their families upon the islands about St. Johns, and prevailed with them to abide there for the winter. But they expressed their intention of abandoning the country unless a strong fort and garrison were established to protect them and their trade (922).

Col. Moody's report.

The British claim.

The British claim to Newfoundland is given at length (554 i.).

CECIL HEADLAM.

The documents calendared in the following pages are included in the volumes preserved at the Public Record Office and listed as follows:

C.O. 5, 3. 5, 9. 5, 10. 5, 11. 5, 189. 5, 210. 5, 289. 5, 306. 5, 382. 5, 716. 5, 717. 5, 720. 5, 727. 5, 751. 5, 864. 5, 865. 5, 898. 5, 912. 5, 913. 5, 970. 5, 994. 5, 995. 5, 1049. 5, 1084. 5, 1091, 5, 1121. 5, 1122. 5, 1234. 5, 1264. 5, 1292. 5, 1316. 5, 1362. 5, 1363. 7, 1. 28, 11. 28, 12. 28, 13. 28, 38. 28, 43. 29, 11. 29, 12. 33, 15. 37, 8. 37, 9. 38, 6. 116, 20. 134, 2. 134, 3. 135, 3. 137, 8. 137, 41. 137, 45. 137, 51. 138, 12. 138, 13. 152, 7. 152, 8. 152, 9. 152, 39. 152, 42. 153, 10. 153, 11. 194, 4. 194, 22. 195, 5. 253, 1. 285, 2. 318, 3. 319, 1. 323, 6. 323, 7. 324, 9. 388, 11. 388, 12. 388, 76. 389, 6. 389, 20. 389, 21. 389, 36. S.P. Naval, 7.

COLONIAL PAPERS.

ADDENDA: JUNE, 1708.

1708
June 16.
Whitehall.

1. W. Popple, jr., to Mr. Lowndes. *Encloses* estimate for transporting German refugees to New York etc. (June 7), to which the Council of Trade and Plantations have no objection. But Mr. Perry having informed them that if a Virginia ship cou'd be found that wou'd drop them at New York, it would be much the cheaper way, and might come to £250 instead of £333, they have desired him to endeavour to find such a ship, and to bring terms to-morrow, which shall be transmitted to you. Their Lordships propose that the tools and money for subsistance be committed to the care of the Lord Lovelace to issue from time to time. [*C.O.* 5, 1121. *pp.* 264-266.]

June 16.
Boston.

2. Lt Governor Usher to the Council of Trade and Plantations. Since mine by ye mast ships [*see* June 28, 1708], have bin in the province of New Hampshire, find H.E. taken care to putt the fourtt into a good condition for defence, whereas butt 8 men formerly, now 20 men belonging to the ffourtt. H.E. hath taken care getting an actt pastt for preserveing trees [*see* June 1st and 28] fitt for H.M. Navy, wish in ye Actt care had bin taken for a nursery. Unexpectedly we have bin preserved from insults of ye enemy. *Repeats part* of June 28, 1708. In Province, doe say country nott willing to contribute for Mr Walderen's case, the Representatives have raised money and ordered itt outt of Treasury. The Treasuror acquaintts that £250 apointed by Representatives was advanced, and in *enclosed* Minuitt Councill more mony for Agency, in all £488; am informed a minuitt in assembly; ytt. Mr. Vaughan doth goe as Agentt, thatt all his exspences be borne by ye province, and to be allowed £80 a year and necessary suplys for his family in his absence. if Assembly raise and dispose of mony in such a maner, wth. submistion doe nott actt as a Govermtt. immediately under the Crown, butt Comonwealth Govermtt.; 'tis certain £1000 issued outt of Treasury under notion of Agency; when in truth onely to maintain Mr. Walderen's law-suite. When I wentt into the province to se H. M. Order in Councill as to direction for a spetiall verdictt, my charges nott to be allowed, because I wentt on a private case *etc.* I thinck Mr. Allen's case very hard, for he to be in disburse aboutt £2000, to recover his rightt, as hath bin owned in all reign, and now a people being weary in advanceing mony for a private cause of controversy in Law, ytt. same mustt be maintain'd by a Govermtt. I hope this mony will nott be allowed of in the Treasuror's accotts. att home, and ytt. some care will be, such things to be rectified, many in country dissatisfied, they to be rated for maintaining private Law suites, and same time refuse to raise mony to pay poore men there just due in serveing ye country. *Signed*, John Usher. *Endorsed*, Recd. (from Mr. Armstrong) 4th, Read 11th Nov., 1708. *Holograph.* 1 *p.* *Enclosed*,

2. i. Minute of Council of New Hampshire, May 8, 1708. Present, Governor Dudley *etc.* The Treasurer stated that the £250 appointed by Assembly for the Agency was all advanced, and that he had his warrants for the same. Further sums advanced on the same account were allowed, and £1100 voted for soldiers' wages and other debts, including £210. 9s. for the Agency. *Copy.* 1 *p.*

2. ii. Account of money advanced for the Agency. *Total,* £488. 16. 1 *p.* [*C.O.* 5, 865. *Nos.* 2, 2.i. ii.; *and* (*without enclosures*) 5, 913. *pp.* 26-28.]

July-Dec. **3**. Passports for 32 ships to sail without convoys or embargo in America and the West Indies. [*C.O.* 5, 210. *pp.* 107, 112, 116, 118, 121, 124, 125.]

July 1. Whitehall. **4**. Council of Trade and Plantations to the Earl of Sunderland. *Reply* to letter of June 29. We have no objection to Mr. Lewis Morris being restored to his place and precedency in the Council of New Jersey, from which he has been suspended by the Lord Cornbury: But we are apprehensive some inconvenience may insue upon the displacing of either Mr. Cox or Mr. Sonmans, some time since appointed by H.M., and therefore are of opinion that they be continued, and that Mr. John Harrison, who is the last of those we had proposed by our Representation of May 31, be left out. [*C.O.* 5, 994. *pp.* 449, 450.]

July 1. St. Xphers. **5**. Governor Parke to the Council of Trade and Plantations. *Acknowledges* letters of Jan. 29 and Feb. 26. I hope H.M. will think itt for her service to order all the officers to their posts, the Regiment else in a little time will be in the same condition the last was, ⅓rd of their arms are already unserviceable, and they have 10 months pay due to them, so that I am forced to give them liberty to worke, and onely keep the most necessary guards, as at Monks Hill, and in the severall ffortts, appointing them a place of Rendevous in case of alarms: the giving them quarters is so expensive to the Islands, they are quite weary of it, and will do it no longer. Indeed Antigua excepted, the rest are not able; and Antigua is so expensive a place to live in that a soldier cannot live on his pay there, here they can as beef is at present, but for Indian provissions, which is what they must cheifly live on is just as dear againe in Antigua as 'tis in St. Kitts, therefore I have brought most of the men here; the Regiment will hardly be of use except they are paid, armed and cloathed, and whilst the Coll. and Major and great number of officers are at home, it will never be; Major Aldy has not yet been here, who ought never to be from the Regiment, the Coll. agrees with merchants to pay the Regiment, they make use of the mony, and take no care to pay the Regiment, the mony ought to be sent by the packet every month, here is one Company has no officer to it, and severall with but one. Coll. Jones, the Lt. Col., has downe right quarrell'd with me because I would not give him leave to go home, and so has severall others; I have given leave but to two Ensigns and a Lieut., one had the leprosie, the other very ill, and the third was good for nothing; Coll. Jones tells me he has got leave from home, wch. will come by the next packet. I suppose in 5 or 6 months most of the rest will have leave to go home, or if your Lordships does not prevent. Whenever your Lordships have not had the Minutes of the Councills and Assemblys regularly, it has not been my fault. I have from time to time constantly called upon and writt to the severall Secretarys for them, and 'tis their fault, by this oppertunety you will receive all from Nevis and this Island to this day; there is only the last three months due from Antigua and Montserrat, wch. if possible to be got shall be sent by the next packet, those of Antigua will be long, and give your Lordships some trouble to hear them read. Coll. Codrington and his Emissarys has put such notions into their heads that untill they are told from yr. Lordships they are in the wrong, they will do nothing; they drew up a bill for Priviledges, wherein the Assembly makes themselves a Court of Judicature to fine and imprison *etc.*; they deny the Queen the negative voice, and severall other matters never heard of before, the quarrell began between the Councill and Assembly whilst I was at St. Kitts. I thought the Lt. Governor and Councill so much in the right, that I could not but approve of all they had done, when I came up, they had no priviledge taken from them, everything had run in the same channel it had allways done. I let them know I had instructions not to pass any Law of an extraordinary nature without first laying it before your Lordships, that I was onely intrusted with the Queen's prerogative, she might do as she pleased, but to give any part away, would be a breach of trust in me; your Lordships will see in one of their last messages they promise to be gratefull to me, if I would pass what Laws they desired, in short, one of their Members came to me early the next morning and gave me to understand that I should have a noble present, and also the thousand pounds as they call it paid me better then I had it last year for my house rent. I told him in private, and sent them a publick message that I would not betray my trust on any consideration whatever. I kept them to the day before the Fleet sail'd, therefore 'twas impossible to send you the Minutes, but the Deputy Secretary has promised them wth. coppies of those Laws, to go by the packet if she does not come very soon: yr. Lordships will then be able to judge of the whole matter, and be able to direct me what to do.

As to the Order relating to my house-rent, I shall be very glad to gett what yr. Lordships have been pleas'd to allow me, but as it is order'd, must lay it before the Generall Councill and Assembly of all the four Islands, wch. can't be done untill I have a man of warr; the first year I was paid 'tis true, but so as it did me little good—I was paid in sugar after the ffleet was gone; as for what St. Christophers promised me, the hurricane has made them so poor, they are not able. I have not so much as asked one pound of sugar from them, nor expect any. I am to have nothing from Antigua except I give up the Queen's prerogative and pass such laws as will make them a Commonwealth, so that this yeare a necessitous man that had been in my post must either have starved or betrayed his trust. I assure your Lordships none of these Governments give something for nothing, therefore the Queen should allow her Governors such sallary as they may be able to lay up something to keep them when out of their Governments, and to receive nothing from the Inhabitants; if the Queen will advance my sallary to £2000 per annum as the other Governors have, I will be content to suffer as a Traytour if ever I take any ffee, present, perquisit or reward, private or publick, whilst I have the honour to command; 'tis true the Governour of Bermudas has not a sallary of £2000 per annum, but then he has an independent Company, and a benefit out of the whale-fishing, wch. makes it much more, and one may buy as much provission there for five shill. as here for 20. I leave this to your Lordships' consideration. I beg the same favour of your Lordships (wch. the poorest man and greatest criminal has a right too) that is that I may not be condemn'd unheard, for there is no doubt but Coll. Codrington by himself or his friends will misrepresent every thing; he wants not will to do itt (except in the full and change of the moon). I beg that you will suspend your judgement untill you have seen the Minutes of the Councill and Assembly; then your Lordships will be convinced I have lost my sallary for house-rent because I would not break my Instructions. I hope I shall not suffer in your Lordships' good opinion for obeying your orders. In this dispute Barry Tankard Esq., one of the Councill, was for gratifyeing the Assembly in everything, and because he could not bring over anybody else to his opinion, he affronted the Councill and left them declareing he would never sitt more; pursuant to the Order I receiv'd from your Lordships, I writt to him by the Secretary, he came to towne that day the Councill satt, but neither came to Councill, nor answered the letter, against the next Councill day, I had him writt to againe, wch. he never answered nor came, tho that day in towne alsoe; and for

1708.

seaven Councill dayes together never came nor sent any excuse; at last two of the Councill spoke to him, his answer was, he would never sitt more, all wch. is entred in the Councill books, and therefore pursuant to the Order I receiv'd from yr. Lordships, and by the advice and consent of the Councill I suspended him; therefore since it has been done pursuant to yr. Lordships Instructions I hope the suspension will be confirm'd, and his name struck out of the list of Councillors for Antigua; I had but six Councellors left, for Coll. Williams has been bed-rid ever since I came, he has never been sworne, and Major Lyons has kept his chamber this six months, and Mr. Crab in England, therefore I was necessitated to swear another, wch. is Coll. Wm. Byam, wch. I hope yr. Lordships will confirme, for he is not onely of the best ffamily, but has one of the best estates, and as good a charector as any one on the Island; as to the postscript in your Lordships' letter about the Patent Officers; the Secretary is Sir Charles Hedges' Couzen, the Navall Officer is Coll. Rowland Williams, who has been bed-rid severall years. The marshall was one Mr. John Perry, who has left the Islands this 3 years; about 8 months ago I put in one Mr. Michael Ayon, not hearing from Mr. Perry and his Deputy (who was one of the Drummers of the Regiment) letting a man go about his buissness that was committed for murther; therefore I hope Mr. Ayon may be confirmed, the place is not worth much, for Mr. Perry offered it in England for £150; I think it unreasonable that any such offices should be executed by Deputy. 'Tis true if they do not do their duty I may suspend them, but then I disoblige their patrons in Brittaine, who are men of interest and perhaps may have them restor'd, wch. would be an affront put upon me; and truly the best of them, wch. is the Secretary's is hardly worth the begging. I think the Deputy does not allow above £100, or at most £150, the yeare, the other are hardly worth the charge of takeing out patents for; Mr. Rhods that came over Secretary about the losses at Nevis Sir Charles writt me word would stay and be Deputy Secretary. I wish he had thought it worth his while, for he was a pretty Gentleman, and would have been a great help to me; the Capt. of the *Hector* man of warr had an order to convoy the ffleet home in case I wth. the advice and consent of the Councill thought it for the service. I laid it before the severall Councills of Antigua, Nevis and St. Christophers, and they were all unanimous that 'twas for the good of the Islands to have the ffleet convoyed home, accordingly she sayles wth. the ffleet and carrys the publick papers; I wish yr. Lordships could find some way to prevent the trade between Ireland and the French Islands, for I never send a fflag of truce but they find Irish ships there wth. beef *etc.*, whilst the last fflag of truce was at Martineco, there came in three large ships directly from Ireland wth. beef, and their Irish colours fflying, 'tis a very great shame. *P.S.* I beg yr. Lordships' pardon that I have not sent the Navall Officers accts. of the imports and exports as often as

I could get them. I used to send them to the Custome-house and Treasury, but for the future shall take care to send them also to your Lordships. *Signed,* Daniel Parke. *Endorsed,* Recd. Sept. 1st, Read Oct. 27, 1708. 5 *pp.* [*C.O.* 152, 7. *No.* 55; *and* 153, 10. *pp.* 195-203.]

July 1. St. Xphers. **6.** Governor Parke to the Council of Trade and Plantations. Inclosed I send the Minutes of Council and Assembly of this Island to this day. Uppon the death of Col. Crisp, I had but six Councillors, therefore swore Francis Phipps, Esq. a Gent of a good estate and charector; therefore desire your Ldpps that he may be confirmed and added to the list for this Island. *Signed,* Daniel Parke. *Endorsed,* Recd. Sept. 6, Read Oct. 28, 1708. *Holograph.* 1 *p.* [*C.O.* 152, 7. *No.* 56; *and* 153, 10. *p.* 204.]

July 1. St. Xphers. **7.** Same to same. Inclosed I send the Minutes of the Council and Assembly of Nevis to this day. *Signed and endorsed as preceding.* [*C.O.* 152, 7. *No.* 57; *and* 153, 10. *p.* 205.]

July 1. **8.** Capt. Gardner to Mr. Popple. There was raised 312 men for Brigadier Handasyd's Regt., whereof the officers carry'd 285 to Plymouth, and have imbark'd the greatest part of that number, but presume they may not all arrive in Jamaica before November, there has neither been tyme, pains or money spar'd, to accomplish what was thought impossible, recruiting for Jamaica, if those men arrive safe, the Regemt. will not want above 40 more. *Signed,* Rob. Gardner. *Endorsed,* Recd. 1st, Read 2nd July, 1708. *Holograph.* 1 *p.* [*C.O.* 137, 8. *No.* 10; *and* 138, 12. *p.* 293.]

July 1. Whitehall. **9.** Council of Trade and Plantations to the Queen. *Recommend* John Peters, John Burryan, Joseph Estridge and John Willet, to fill vacancies in the Council of St. Kitts, and Thomas Goar, Robert Elleis, Michael Smith, and John Richardson for Nevis, as proposed by Governor Parke, March 13 *etc.* [*C.O.* 153, 10. *pp.* 184, 185.]

July 1. New York. **10.** Governor Lord Cornbury to the Council of Trade and Plantations. Your Lordshipps' letters of May 7, 1707, I had the honour to receive on June 25th last at Shrewbury in New Jersey, from whence I returned to this place on June 28, at my arrivall here, I was informed that a ship would be ready to sail in few days directly for Bristoll, which opportunity I was glad to embrace to acknowledge the receit of these letters, which are the only letters I have been favoured with, since the Queen has been pleased to grant her Commission to your Lordshipps of which I beg leave to wish your Lordshipps much joy. Your Lordshipps are pleased to inform me that it is H.M. pleasure and expresse command that the Governors of all forreign Plantations doe, from time to time, give unto your

1708.

Lordshipps frequent and full information of the state, and condition, of their respective Governments, etc. In all these things I shall endeavour to observe H.M. commands punctually, as soon as time can possibly allow it, for some of the things you are pleased to require of me, will take a considerable time to transcribe, as, for example, the proceedings in the Councill, and Assembly, and the Supreame Court, all which shall be done as fast as possible; I wish with all my heart that packet-boats were established to some part of this Continent, then we should not only have frequent, safe opportunitys of writing to England, but we should hear more frequently from thence, whereas now we are some times many months without hearing any thing, perticularly at this time, till I had the [*favour*] of these [*letters*] of May 7, [*I have not had*] one line from your Lordshipps' Board, nor from the Rt. Hon. the Secretary of State these 15 months, and we have but two safe ways of sending into England, which are the Virginia fleet, and the mast fleet from New England, from the first of those places there is noe post, soe that it is very hard to know when that fleet is to sail, for either we must know it by some vessell that comes from thence to this port (and that is not above two or three in a year), or else by some traveller who comes from thence by land, soe that some times a letter is six weekes coming to this place from Virginia, some times longer, by which means we loose the opportunity of sending by that fleet, from Boston there is a post by which we can hear once a week in summer time, and once a fortnight in winter, soe that we have a sure conveyance by the Mast fleet, the conveyances by the West Indies have proved very uncertain, for severall of our vessels have been taken every year during this warr, besides that severall of the packet boats from England have been likewise taken. Your Lordshipps are likewise pleased to inform me that the said Governors are to transmit unto you yearly accounts by way of Journall etc., all which I shall take care to observe. I can't but be extreamly surprised to find by your Lordshipps' letter relating to this Province of New York, that there are not in your Office any Minutes of Councill, or Assembly, or accounts of the Revenue, since my coming to the Government, because I must assure your Lordshipps, that I have never failed of sending the Minutes of the Assembly by the first opportunity after each Sessions, and some of them, I am sure, got safe into England, and I hope, if you are pleased to order Mr. Popple to look among his papers, he will find them. However, they shall be all transcribed fair, and sent to you; the accounts of the Revenue have been constantly sent by the first opportunity [*after*] the Deputy Auditor has audited them, but in[*deed*] that Mr. Clark, the present Deputy Auditor, has refused to do, ever since Mr. Byerley was suspended, which was in April, 1705, soe that it has been impossible for me to send those accounts as I ought to have done, for I must have sent them unaudited, or not at all; as for the Minutes of Councill, I sent to your Lordshipps two years agoe

1708

all the Minutes of Councill during the time that Mr. Cosens was Clerk of the Councill, and last year I sent all the Minutes of Councill since Mr. Clarke has been Clerk of the Councill; these likewise shall be all transcribed as fast as the length of them will permitt, and shall be sent by the first opportunity that offers. I here inclosed send your Lordshipps a list of the present Councill, and likewise a list of the names of such persons as I think by their circumstances most proper to fill up any vacancy that may happen in the Councill, in these lists, I have distinguished where the persons named live; and I intreat your Lordshipps that what vacancys are first to be filled, may be filled with persons inhabiting in this City, because very often I find it difficult to get five together, soe many of them living at a distance. As for the number of inhabitants of this Province, I sent one exact list of them about four years agoe, and another two years agoe, where they were distinguished by whites, and blacks, males, and females. I will take care a new list shall be taken and sent by the first opportunity. I will likewise endeavour to give your Lordshipps an account of the increase, or decrease of the inhabitants since my coming to this Government. Two sorts of people remove out of this Government into the neighbouring Provinces, the first are trading men, of these but few are removed since I came hither; the other sort are Husband Men, of this sort many are removed lately, espetially from Kings County on Long Island; and the reasons why they remove are of two kinds, the first is, because King's County is but small, and full of people; soe as the young people grow up, they are forced to seek land farther off to settle upon, the land in the Eastern Division of New Jersey is good, and not very far from King's County, there [*is only*] a Bay to crosse, the other reason that induces them to remove into New Jersey is, because there they pay noe taxes, nor noe dutys; the most effectuall way to prevent the removall of the first sort of people, would be to bring all the Collonys and Plantations upon the Continent of America, under the same dutys, and customes, for goods imported and exported, if this were once setled, the trading men would then consider which is the healthiest, pleasantest and most convenient place for trade, whereas now the chief consideration is, where the least dutys are paid, of this we have had severall instances lately, since the french destroyed Nevis, severall familys have removed from that Island, with intent to settle in this place, but when they have found what dutys people have paid and doe pay here, and that at Philadelphia they pay none at all, they remove thither; As for the Husband Men I can't see how they can be hindred from removing out of one Province into the other. As for the number of the Militia of this Province, your Lordshipps shall have an exact list of all, in the mean time, I think I may say they amount to rather more then 4,000 men. The commoditys exported from this Province to England, of the growth of the Province are, peltry of all sorts, pitch, tar, rosine and train oyl, and if due incouragement were given,

1708.

good quantitys of hemp, flax, timber, masts and yards might be sent from this Province to England; but, besides the commoditys above mentioned, we send into England considerable quantitys of sugars, molosses, logwood and other dying wood, scochaneel, indigo and cacao nutts, which we have from the Islands of Barbados, Monserat, St. Christophers, Nevis, Antegoa and Jamaica, to which places we send flower, biscuit, beefe, pork, bacon and train oyl. Besides the trade we have with the English Islands in the West Indies, as abovementioned, we have some vessels that trade to Surinam and Curacao, and some to St. Thomas's, to the two first of these places we carry flower, bacon, candles, and train oyl, and some times horses, from thence we have in return heavy Spanish money, and sometimes some cacao; from the later we have rum, sugar, molosses, cacao, and cotton wool, and we send thither flower, beefe, pork and bacon, but I look upon the trade to St. Thomass, to be prejudicial to these parts, because the commoditys we have from that Island, (which is subject to the King of Denmark), are not the produce of the Island, but the produce of prises taken by the French upon the subjects of the Queen, and carried in thither, it being a Neutral Port; sometimes we have a vessell or two, that goe to the Coast of Guinea, and bring negros from thence, but they seldom come into this place, but rather goe to Virginia, or Maryland, where they find a much better market for their negros then they can doe here. The trade of this Province is much decayed of late years, I mean for these ten years past or more, for in 1694/5, it received its most fatall blow by this means, till that time, noe body was permitted to bolt, but the citizens of New York, then the bolters were under rule, proper officers being appointed to view all the flower that was exported, soe that noe bad commodity was suffered to goe out, but in that year, an Act of Assembly was passed whereby all persons in the country, as well as the city, were permitted to bolt, by which means two great inconveniencys have hapned, one (which is the greatest) is, that the commodity is vitiated, for the country bolter being under noe rule, or checque, does not care what the commodity is, soe it passe out of his hands, soe that he very often mingles Indian corn flower with his wheat flower, this being discovered in the West Indies, has soe cried downe our flower, that the Pensilvania flower sels for 3/- the hundred more then ours, whereas the New York flower used formerly to exceed the Pensilvania flower one, and sometimes two shillings the hundred, and this I look upon as the greatest inconveniency that has hapned by that Act, the other is, that the country bolter ingrosses all the corn of the County where he lives, and there being bolters almost in every County, it is very difficult for the city bolters to get corn to carry on their trade, the consequence of which is, that the bolters remove into the country, if they remove, the coopers must remove too, for they will find noe work in the city, that this will be the case, we see by experience already, severall having removed themselves, by which

1708.

means the City will in some years be unpeopled, these two inconveniencys have hapned by the abovementioned Act, which I take to be the greatest cause of the decay of our Trade; there is another cause for the decay of the trade of this Province, which arises from the People's own faults, and that is thus, in the time that Sir Edmond Andros was Gouvernor of this Province, there was noe Assembly, but all was done by Orders of the Gouvernor in Councill, he being willing to incourage the trade of the place as much as he could, made two Orders in Councill. One was to incourage the bolting trade, by prohibiting the exportation of corn in grain, the other was to lay a duty of 10 per cent upon all European commoditys imported into this Province from any part except from England directly, and that was the first thing that encouraged the people of this Province to build shipping, the same thing was done since by Act of Assembly, but since that Act expired (which was since I came), I could never perswade the Assembly to renew it, though the inconveniencys that happen for want of it, are many, as follows, now the people of New England come and buy our corn in grain, with money which they have clipped to the third part of the real vallue, they carry it to New England, there grind it, and bolt it, and ship it off for the West Indies, on the other hand, they bring us in European goods, for which they carry away our best money, formerly we had nothing in return from the West Indies for our flower, and other commoditys, but heavy pieces of eight; now there is not one vessell in ten that brings any money, only European goods, soe that if it were not for the small trade our people have with Surinam and Curacao, we should have noe heavy money in the Province, and though these things are as plain as the sun, yet it is not possible to prevail with the Assembly to renew these Acts, and the only reason I can give for it is, that the Members for the country are more numerous, then those for the city, they don't care what becomes of the city, provided they have goods cheap, they think the more goods are brought in, the cheaper they will be, noe matter from whence they come, nor how much the trade of the Province is destroyed, thus I have acquainted your Lordshipps with the decay of the trade of this Province, and the causes of it; if I may propose a cure for the first of these distempers, I can think of none but these, first, if the Bolting Act is not already confirmed at home, that the Queen would be pleased to reject it; if it is confirmed, either by his late Majesty, or by the Queen under whose auspicious reign we now happily live, then I can propose noe other remedy then this, that H.M. will be gratiously pleased, to allow the City of New York to chuse as many Representatives to serve in Generall Assembly, as all the rest of the Province does, by that means they will be able to passe an Act to repeal the Bolting Act; And that this proposall may not be thought soe unreasonable, as at first sight it may be thought to be, I think the last Generall Assembly of this Province have made it plainly appear to be most reasonable, for in the taxe of £3000, which was raised for the fortifying this City last year, when we expected the french to land upon us, the Assembly thought fit to lay £1,500, one full half of the £3000, upon the City and County of New York. Now, I think it seems reasonable that if the city of New York is to bear half the burthen, the city ought to bear a proportionable share in the Legislature, but this I submit to your Lordshipps' better judgments; as for the second cause of the decay of the trade of this Province, I see noe remedy for that, unlesse H.M. is pleased to signifie her pleasure, that an order of the Gouvernor in Councill shall be effectuall in that case, as it was in the time of Sir Edmond Andros. That there has been a great deal of illegall trade carried on in this Province formerly is undoubtedly true. I hope it has not been soe bad of late years, but yet I know there has been illegall trade carried on between New England, Connecticut and the East end of Long Island, the only way we have to prevent it is, to send a small sloop to cruise in the Sound, between Connecticut, and the East End of Long Island, we have some times had the good luck to meet with some of their vessels, but those cruizers have proved chargeable, and the Revenue here is not able to bear it; Col. Quary has lately settled an Officer at New London in Connecticut, whose Commission likewise extends to the East End of Long Island, I hope that will in some measure checque that illegall trade, though I am well satisfied that the poor gentleman who goes there, will meet with very great difficultys; I am of opinion that if a small yacht were built; of about 50 or 60 tonns, that might cruise in the Sound between Connecticut, and Long Island, it would be one of the most effectual means to prevent illegall trade, and the charge of such a vessell will not be soe great as it may at first sight seem to be, for, if the iron work, sails and rigging are sent from England, the timber, masts and building will be found here for £400, and the only certain charge will be a Master, one man and a boy to look[t] after the yacht when she is in harbour, and in winter when she is laid up, and I think it is very plain, the charges of building such a vessell will soon be saved, for if we must hire a sloope for that service, the cheapest we can get her is, £25 a month, or 18/- a day, and we must man her, and victual her, the months in which that illegall trade is chiefly carried on, are the months of May, June, July, August and September, soe that at £25 a month, the charge will be £125 a year for the vessell only, besides the uncertainty of finding a sloop fit for the service at an hour's warning, whereas such a yacht would be always ready at hand. The number of vessels belonging to this Port is much diminished of late years. I have been told that there has formerly belonged to this Port 32 top sail vessells, besides sloops, now we can't reckon above 28 top sail vessells, and sloops, the number of sea-faring men is likewise decreased, chiefly by the losse of two privatiers, one of which it is thought foundered at sea

1708.

with about four-score hands on board of her, and another, which was cast away at Sandy hook, going out, and 120 men were lost in her, soe that now by the best computation that can be made, I [*can't find*] above 300 seafaring men, of all sorts, belonging to this Port. All sorts of vessells are built well in this place, but the vessells most usually built here are briganteens and sloops of both which sorts there are severall built every year in this place, by direction and for the use of the merchants in Jamaica, Barbados and others of the Leeward Islands, besides those that are built for the use of the merchants of this place, which have been a pretty many of late, because our people have lost a great many vessels this warr, both going to and coming from the West Indies; and I don't believe there are above 6 vessells belonging to the place but were built here. The manufactures setled in this Province are linnen, and woolen, they make very good linnen for common use, and I don't doubt but in time they will improve that considerably. As for the woolen, I think they have brought that to too great perfection already, and I must be of opinion that that will be a very great prejudice to England in a few years, and ought to be taken care of in time, they already make very good serges, linsey woolseys, and in some places they begin to make course cloth, and without doubt, in a short time they will soe farr improve in that, as not to want the assistance of England to cloth themselves, how farr that may be to the advantage of England I submit to your Lordshipps' considerations; we have all sorts of trades here and some of every sort that work well, there is as good fullers earth and tobacco pipe clay in this Province as anywhere in the world. The quantity of train oyle made in Long Island is uncertain, some years they have much more fish than others, for example, last year they made 4000 barrels of oyl, and this last season they have not made above 600, about the middle of October they begin to look out for fish, the season lasts all November, December, January, February and part of March, a yearling will make about 40 barrels of oyl, a stunt or a whale two years old will make sometimes 50, sometimes 60 barrels of oyl, and the largest whale that I have heard of in these parts, yielded 110 barrells of oyl, and 12 cwt. of bone, there might be good improvement made in the fishery of codd fish and mackrill, but fish of severall sorts is soe plenty in the Rivers and in the Bay before this City, that our people will not take the pains to goe to sea. Thus I have endeavoured to answer the severall queries your Lordshipps are pleased to put to me with respect to the Province of New York, as well as the shortnesse of the time of the sailing of this ship would permit, by the next conveyance I will suply what is defective in this. Your Lordshipps are pleased to command me to add what ever I think conducive to H.M. service, to the interest of England, to the advantage of this perticular Province, and to your assistance in the discharge of the trust reposed in your Lordshipps. There are many things which might be proposed under these directions, but I dare not undertake to doe it off hand in the little time this ship allows me to write, but by the next I will endeavour to offer to your Lordshipps what is proper upon this subject; in the meantime I think it my duty to offer one thing to your considerations, which I think very much for H.M. service, for the interest of England, and indeed for the perticular advantage of this Province, if the people would but understand it right. The Assembly of this Province is not very forward to passe any Act for setling the Millitia, and the last Act I did prevail with them to passe for that purpose, they limited to the space of one year, besides, they are not very forward to inflict penaltys on their neighbours for not doing their duty; this is soe, not only in this, but in almost all the Provinces upon the Continent, I therefore offer it to your Lordshipps' considerations, whether it would not be for H.M. service, that a short Act of Parliament were passed in Great Brittain, for the setling and regulating the Militia of these parts of the world. I am afraid the Millitia here will never be in the order it ought to be, till that is done; In the Province of New Jersey it is worse, and in the Province of Connecticut, though H.M. was pleased by her Commission to put the Millitia of that Province under my direction, they refuse to receive any Commission from me, or to obey any Order. Your Lordshipps are pleased to say that Mr. Burchett has sent Mr. Popple an answer to my letter of Dec. 14, 1706, relating to Capt. Fane *etc.*, and that a copy thereof is inclosed for my information. I beg leave to inform you that I have received noe such copy inclosed. Capt. Fane is fallen out with all this Province, he has often publickly declared that he hates the whole Province and every body in it, and that, if he met with a New Yorke vessell at sea in distresse he would give her noe assistance, and indeed he has shewen very lately how little kindnesse he has for the place, for having taken a prise in his voyage from Barbados to this place, he would not bring her into this Port, but carried into Virginia, where he had noe businesse, and ought not to goe, [*this being*] his Port: I don't trouble your Lordshipps with his behaviour to me, which I believe has noe president; but I hope some other ship will be sent to relieve him, which will make the Country easier, under the command of some Gentleman, who will be more dilligent then this Gentleman has been, for I could never send him an order to cruise, but he wanted something which retarded his going out, six or eight or sometimes ten days; Now Capt. Norbury, since his arrivall here, has always been ready at 24 hours warning, does his duty with chearfulnesse, and I believe will make this country very easy. Your Lordshipps are pleased to inform me that an Act of Parliament is passed for a perfect and intire Union of the two Kingdoms of England and Scotland, and you are pleased to say that you have sent me two of the said Acts, that it may be published in the most solemn manner in this Province of New York etc.; I must inform your Lordshipps that noe such Acts are come to my hands, I did procure one from the Attorney Generall of this Province, who had received it from England, and in obedience to your commands I have taken care to publish it in the most solemn manner we are capable of. Now I beg leave to inform your Lordshipps that since the letters I sent to you by the Mast fleet, which sailed from Boston, March 18, nothing extraordinary has hapned in this Province; In the beginning of May, one Jones, Master of a ship bound from Barbados to Philadelphia, overshot his Port, and was taken by a small French privatier from Martinico, about three leagues off from Sandyhook, the same privatier had before that taken a small sloop belonging to this place, and two ships bound from Leverpool to Philadelphia. I was at Burlington when this hapned, as soon as I heard of it, I sent orders to Capt. Norbury to put to sea with H.M.S. *Triton's* prise, which he did, and since that, we have heard of no privatier off of Sandyhook, but two french privatiers have taken station off the Capes of Delaware, where they have taken 7 or 8 prises, and among the rest, a very rich ship from London, commanded by one Young, who was taken in sight of the Capes, severall of the merchants of that place have writ to me to desire that one of the men of warr that are here may cruise off of their Capes for some days to see some of their vessels safe to sea, who dare not peep out now, the *Triton's* prise will sail in two days for that purpose. I hope we shall have a good account of some of the privatiers; yesterday I had a message from Albany, from the Commissioners for managing the Indian affairs, to desire me to make what haste I could up to Albany, in [*order to be there*] by the 15th inst., which I will doe, God willing, unlesse I am hindred by contrary winds, however, I will get up as soon as it is possible, though I did not intend to have gone till the end of August, for it is now a hot season, and this is the hottest summer I have knowne since I came into America. I intend to make but a short stay there, as soon as I return, I will acquaint your Lordshipps by the first opportunity what it is the Indians had to propose to me. I had almost forgot to acquaint your Lordshipps that, being in New Jersey longer then I expected this Spring, I sent a Proclamation to the Gentlemen of the Councill of New York, to adjourn the Assembly of New York, and some days agoe, upon a message from Albany relating to the Indians, the Gentlemen of the Councill were of opinion that the Assembly ought to be called together to see if they would raise a fund for some presents to the Indians. I issued a Proclamation, requiring their meeting the 25th of this month; two days after the Proclamation was issued Mr. Philips acquainted me that severall of the Members of the Assembly had said that they would not meet, because the former adjournment was by a Proclamation signed in New Jersey, and that they took themselves to be dissolved, this is a notion started last year by Mr. Byerley, when he received an Order from me, dated at Burlington, which he had noe mind to obey. I did acquaint the late Council of

Trade with this matter, and beg'd their opinions, but I have not yet had any answer. I beg I may have your Lordshipps' opinion whether any Order signed by me in one Province is to be of force in the other or not. *Signed,* Cornbury. *Endorsed,* Recd. 3rd. Read 11th Nov., 1708. *Holograph.* 12 *pp.* *Enclosed,*

10. i. (a) List of the Council of New York, and
(b) Persons recommended by Lord Cornbury to fill vacancies:—Col. Peartree, Col. D'Peyster, Mr. De Lancey, Mr. Cholwell, Mr. Rynders, Mr. Walters, Mr. Wilson, Mr. Milward, in New York; Col. Willett, Major Jones, Long Island; Col. Beckman, at Esopus; Col. Quary, at Philadelphia. 2 *pp.* [*C.O.* 5, 1049. *Nos.* 96, 96. i.; *and* (*without enclosure*), 5, 1121. *pp.* 328-349.]

July 1.
New York.

11. Governor Lord Cornbury to the Council of Trade and Plantations. *Repeats part of preceding.* I did two years agoe send your Lordshipps the Minutes of Councill [*of New Jersey*] to that time, and I have constantly sent the Minutes of Assembly by the first opportunity after each Sessions *etc.* The accounts of the Revenue have not been sent because the Deputy Auditor has refused to audit them, the Queen has had noe Revenue in the Province of New Jersey, only for two years, since they were expired, the Assembly by the [*underhand practices of Mr. Lewis*] Morris and severall of the [Qua]kers, one Doctor Johnson, and some others, have been prevailed upon not to give the Queen any Revenue, and I am of opinion that as long as the Queen is pleased to allow the Quakers to sit in the Assembly, they never will settle a Revenue, nor a Millitia. I will by the first opportunity send your Lordshipps an exact transcript of the Accounts of the Revenue for those two years, whether the Deputy Auditor will audit them, or not. I here send you enclosed a list of the present Councill, and likewise a list of such persons as by their circumstances are in my judgment proper to fill any vacancy that may happen in the Councill. About two years and a half agoe I did transmit compleat lists of the inhabitants of each County of New Jersey, the Sherriffs are now making new lists, which shall be transmitted to your Lordshipps by the first opportunity. The numbers of inhabitants of New Jersey are considerably increased by the reasons I have offered *in preceding.* None of the inhabitants of New Jersey remove into the neighbouring Collonys. The Millitia of New Jersey will amount to about 2,300 men besides the Quakers, but of this you shall have compleat lists by the first opportunity. Nothing is exported from New Jersey to England; neither has the Province any trade with any other place, except the neighbouring Provinces of New York, and Pensilvania, the Eastern Division bring their grain of all sorts to New York, and their sheep etc., the Western Division carry all their produce to Philadelphia, the Western Division has not one vessell belonging to it, the last year some of the inhabitants

1708.

of the Eastern Division built a sloop, and fitted her out to sea, she has made one voyage to Barbados, and that is all the vessells that belong to the Eastern Division, except wood boats that bring fire-wood and pipe-staves to New York; the Province of New Jersey is furnished with European goods thus, the Eastern Division from New York, the Western Division from Philadelphia. The Province of New Jersey has noe trade but as above-mentioned. There have sometimes goods been run into the Eastern Division by vessels bound to New York, but it is now pretty well cured by the men of warr lying at Sandy hook, and there is an officer at Amboy, there have likewise goods been run on shoar in the Western Division by vessels bound up the River Delaware to Philadelphia, Collonel Quary has appointed an officer at Burlington [*and one at Salem; I hope their dilligence will in a great measure*] prevent illegall trade on that side.

There is noe shipping belonging to New Jersey, except as is mentioned on the other side; neither is there any sea-faring man, unlesse the men that goe in the wood boats may be called such. There have been three or four ships and one briganteen built at Woodbridge in the Eastern Division since I came to the Government, and one briganteen and one sloop have been built at Burlington in the Western Division. In New Jersey they make good linnen for common use, and they begin to make woolen stuffs. I have offered my thoughts to your Lordshipps concerning the latter of these *in preceding.* Thus I have endeavoured to answer the queries contained in your Lordshipps' letter as well as the shortnesse of the time this ship allows me, I will take care by the next to suply what may be wanting in this. Your Lordshipps are pleased to command me to add whatever else I think conducive to H.M. service, to the interest of England, to the advantage of that perticular Province, and to your assistance in the discharge of the trust reposed in your Lordshipps. Many things may be offered under these directions, but I dare not venture to doe it off hand, but by the next I will endeavour to offer such things to your Lordshipps as may be proper upon this subject. In the mean time I think it my duty to lay some matters before you for your consideration, which I think very much for H.M. service, for the interest of England, and indeed for the advantage of that perticular Province, if the People could be persuaded to understand things right; the first thing is the Militia. *Refers to preceding.* I shall say noe more, only that the Queen must not expect a Militia Act to be past, as long as the Quakers are allowed to sit in the Assembly. The next thing I shall offer to your Lordshipps' considerations is that some method may be directed to inquire into the quallifications of Members returned to service in the Generall Assembly. H.M. is pleased in her Instructions to me to direct how people shall be quallified to chuse, and to be chosen, and that noe person though chosen, shall be suffered to sit unlesse soe quallified, the late Lords of Trade and Plantations, upon a complaint

1708.

made to them that I kept three Quakers out [*of*] the Assembly (which was done by advice of the Councill, and only till they shewed their quallifications) were pleased to direct me for the future not to intermeddle with the quallifications of the Members of the Assembly but to [*leave that matter to the House; in obedience to their Lordshipps'*] commands, I have not intermedled since that time, the consequence has been this, that upon the last Election in some places they chose some persons who are not qualified according to H.M. Instructions, in the Eastern Division they chose one person, who has not a foot of land in the Province, nor does not inhabit in the Province, but because he is a forward man, and promised them that if he were chosen, he would not consent to the giving a Revenue to the Queen, they chose him, and the House have suffered him to sit, notwithstanding that every Member of the House knows he is not qualified; there are more of the same sort; and it will always be soe, unlesse H.M. is pleased to appoint some Method to inquire into the qualifications of persons returned to serve in the Assembly, other then the House themselves. These things I intreat your Lordshipps' consideration off.

Your Lordshipps are pleased to signifie to me that an Act of Parliament is passed for a perfect and intire Union of the two Kingdoms of England and Scotland, and you are pleased to say that you send me two of the said Acts that it may be published in the most solemn manner in New Jersey *etc.* I take the liberty to acquaint your Lordshipps that I have not received any such Acts, but having procured one from the Attorney Generall of New York, I will take care to publish it in the most solemn manner possible. I am very much concerned that your Lordshipps have not received my letter relating to Mr. Ormston and Mr. Sonmans, because besides that which I sent by the way of the West Indies, I sent a duplicate by the way of Boston, and another by the way of Philadelphia. I hope some of them have reached your hands before this time. However, I now send another duplicate of the same; and I don't at all question your Lordshipps' justice to me. I likewise send a duplicate of my letter of June 21 last, in which you will see an account of the proceedings of the Assembly of New Jersey this spring, to which I beg leave to referr. Just as I was going to seale this letter, I have received H.M. commands to admit Mr. Sonmans into the Councill, which shall be done accordingly. *Signed,* Cornbury. *Endorsed,* Recd. 3rd, Read 11th Nov., 1708. *Holograph.* 4 *pp.* *Enclosed,*

11. i. (a) List of the Council of New Jersey, and of

(b) Persons recommended by Lord Cornbury to supply vacancies:—Messrs. Wheeler, Huddy and Newbold of Burlington, Capt. John Bowne, Monmouth County, Capt. Kingsland, Essex County, Mr. Longfield, Middlesex. *Set out,* New Jersey Archives, 1st ser. iii. 340. *q.v.* *Endorsed,* Recd. Nov. 3, 1708. 2 *pp.* [*C.O.* 5, 970. *Nos.* 77, 77. i.; *and* (*without enclosure*) 5, 994. *pp.* 465-472.]

1708.

July 2. [2nd$^{m}_{5}$ (Jul.) 1708.] **12.** Wm. Penn to the Council of Trade and Plantations. Honorable ffriends, I have submitted to wt. you are pleased to say you could not help, and that time and other circumstances will not allow me to sett that matter of the Queen's Right to the Lower Countys in a better explanation, the scruple being only about right of Govermt., and that my recompense from those yt. had the advantage of the Commission of Trade, that was my proposall for a better and more impartiall as well as expeditious and honorable way of superintending the Great Provinces of Trade and Plantations, a poore returne. I here inclose the declaration under my hand and seale, wch. as it is a saveing to the Queen, this is also writt for a saveing to, Honorable ffriends, your very Respectfull Friend, *Signed,* Wm. Penn. *Endorsed,* Recd. Read July 2, 1708. *Addressed. Holcgraph.* $1\frac{3}{4}$ *pp.*

Enclosed,

> 12. i. Mr. Penn's Declaration. I underwritten do by these presents declare and promise, that the Queen's Royal approbation and allowance of Capt. Charles Gookin to be Deputy-Governor of Pennsylvania and the three lower Counties upon Delaware River, shall not be construed in any manner to diminish or set aside H.M. Claim of Right to the said three Lower Counties. In witness whereof I have hereunto set my hand and seal, this *second day of the mo. calld July, 1708. Signed,* Wm. Penn. *Sealed. The words in italics are in Penn's handwriting.* $\frac{3}{4}$ *p.* [*C.O.* 5, 1264. *Nos.* 48, 49; *and* 5, 1292. *pp.* 63, 64.]

July 3. Barbados. **13.** Governor Crowe to Mr. Popple. *Refers* to letter sent on June 27 by Mr. Rowland Tryon. I was in hopes to have sent you the negroe acct. per these ships, but have not been able to coleckt the sundry private traders accounts, soe must begg your Lordship's paytiance untill next conveyance *etc. Signed,* M. Crowe. *Endorsed,* Recd. Sept. 3, Read Oct. 27, 1708. *Holograph.* $\frac{3}{4}$ *p.* [*C.O.* 28, 11. *No.* 19; *and* 29, 11. *p.* 310.]

[July 4.] **14.** J. de Kocherthal to the Queen. *Prays* to be allowed a salary and £20 for outfit, as other Ministers, *etc. Set out,* N.Y. Docs. V. *p.* 62. *Signed,* Josua de Kocherthal. *Overleaf,*

> 14. i. H.M. refers *above* to the Council of Trade and Plantations for their report. *Signed,* H. Boyle. The *whole endorsed,* Recd. Read July 7, 1708. $1\frac{1}{2}$ *pp.* [*C.O.* 5, 1049. *Nos.* 80, 80.i.; *and* 5, 1121. *pp.* 301, 302.]

July 6. Whitehall. **15.** Council of Trade and Plantations to the Earl of Sunderland. By letters lately received from Governor Crowe, we find that there are several offices granted by patent under the Great Seal of this Kingdom, and particularly that a Patent has been past for the Clerk of the Market, in which there is a clause allowing the Patentee to execute the said Office by Deputy, the ill consequence of such clauses was represented by the Commissioners of this Board to his late Majesty. *Quote* Order in Council, Feb. 16, 1698/9 (C.S.P. 1699. *No.* 104). But as we presume your Lordship has not been apprised of this matter, we send a copy of the said Order. [*C.O.* 324, 9. *pp.* 217, 218.]

July 6. Whitehall. **16**. The Earl of Sunderland to the Council of Trade and Plantations. The alteration in the Queen's Arms by the Union making it necessary that new Seals should be provided for H.M. Plantations, I desire you will let me have a description of those several seals that I may be able to get a warrant prepared for H.M. signature for their being engraved. *Signed,* Sunderland. *Endorsed,* Recd. 6th, Read 8th July, 1708. $\frac{3}{4}$ *p.* [*C.O.* 323, 6. *No.* 63; *and* 324, 9. *p.* 218.]

July 6. Boston. **17**. Mr. Bridger to the Council of Trade and Plantations. *Encloses following.* I pray your Lordships would send me an order for an Appeal to boston, or set that tryall aside, and have a new tryall; the Judges sent out the Jury twice, but in vaine, they cleering them without wittness or reason, *etc.* Inclosed is a copie of an Act which I layd before the Governor, Council and Assembly of New Hampshire, wch. I pray your Lordshipps to have confirmed. I hope that Act will secure in some measure H.M. intrest in that Province. The reason of the penalty on marking any trees is thus, some ill men have this last winter gone into the woods and marked all trees before them, those trees fitt and unfitt for masts, with the Broad Arrow. This was in common woods, and when theire neighbours come into the woods to get loggs for boards etc., they seeing all the trees marked immediatly returned, thinking that I had ordred the marking of sd. trees. The marker seeing that had fritned all people out of that place, he and his associates cutts down all masts and others to a very great number. I hope I shall be able to prove the fact on someboody. The General Assembly of this Province now sitting, I drew a bill for the better preservation in H.M. woods in this Province, which bill is the very words of the Charter *etc.*, but the Assembly will not enact their own Charter *etc.* (*see* July 10). In the tryall inclosed they there plead the Charter no Law, against H.M. in the case of masts, now my lords if the Charter be no law, nither will they enact it as a law, what will H.M. do for her Navy; all will be cutt down next winter, if an imediate care be not taken by an Act of Parliament out of Great Brittain, of which I sent yr. Lordsps. a rough draught *etc.*

Here is no licence yet come from Mr. Collins, *etc.* I have found some masts in the woods cutt by Mr. Jno. Plaisted order, which has layne there 6 months, and had been lost, had I not found them, for they must be hewn, squared, *etc.*, else the worme get into them and spoyles the masts, and this is the practice of Plaisted; he sett men to cutt those masts,

1708.

in the winter, and those men has not heard from him since, and soe he has done in many places, but the woods are now soe dangerous by reason the Indians, that I dare not venture a 3rd time. Those masts I have found are of the first and principall dimentions. I have ordred some worke men to goe and save those trees by squaring them. *Prays for their Lordships' directions. Repeats former proposal for encouraging the making of pitch and tar.* I am well assured that at New Yorke there would be great quantitys of tar made there, if I was there to instruct them; that lays wholly with your Lordsps. to enable me to goe thither for that service. Expecting with great impatience your Lordshipps' commands, not having one line since my arrival, *etc. Signed,* J. Bridges. *P.S.* I had an order from the Inferiour Court at York to appeall to Boston Superiour Court. I pray I may have an order that the appeal be heard accordingly, wch. will save any order for the new tryall of those offenders. It was the opinion of the Lawyers her[*e*] the appeal would not lye to the Superiour Court, wch. makes me pray an Order now. *etc. Endorsed,* Recd. Sept 8, 1708, Read Dec. 9, 1709. 2 *pp. Enclosed,*

17. i. Copy of Governor Dudley's Warrant, Aug. 24, 1707, for the arrest of persons cutting masts without licence. 2 *pp.*

17. ii. (a) Mr. Bridger to Charles Frost. Instructions to arrest Nathaniel Gubtaile, Jno. Thompson, Jno. Hearle, Wm. Hearle, jr., under above warrant, Dec. 29, 1707. (b) Bonds for the appearance of above, given by Hearle, Gubtaile, Humphry Spencer and James Emery. (c) Depositions against them by Nicholas Gillison, Wm. Dyer, and Benj. How. (d) Their trial and acquittal, Defence by Jno. Pickerin, Attorney. (e) Mr. Bridger's Appeal. (f) H.M. warrant for John Taylor to cut masts, June 22, 1704. (g) John Plaisted's letter to Governor Dudley, and deposition touching masts cut by him. (h) Depositions as to the bounds of Kittery, York and Wells in New England. *The whole endorsed,* Recd. Sept. 8, 1708, Read Dec. 9, 1709. *Copies.* 12 *pp.*

17. iii. Act for the better preservation of Mast trees or White pine trees in New Hampshire. *Same endorsement. Copy.* 2 *pp.* [*C.O.* 5, 865. *Nos.* 27, 27.i.-iii.; *and* (*without enclosures*) 5, 913. *pp.* 120-126.]

July 6. **18**. Sir John Bennett to the Council of Trade and Plantations. *Defends* the punishment of Mr. Newnam, for a crime amounting to little less than high treason *etc.* It appears by the Remonstrances of the Justices of Bermuda, July 18, 1706, that Newnam is a very dangerous person and a common disturber of the peace; they prayed the Governor to have the prison window closed and another opened which was done, because that window fronted upon a common passage, and Jones the Provost Marshal allowed the prisoners to abuse and affront the public Officers, as Councillors, Judges etc., as they passed along. *etc.*

Signed, Jo. Bennett. *Endorsed,* Recd. Read July 6, 1708. 8 *pp.* [*C.O.* 37, 8. *No.* 68; *and* 38, 6. *pp.* 397-411.]

July 6. **19.** Mr. Vaughan to the Council of Trade and Plantations. In ye Province New Hampshire are six towns, Portsmouth, Dover, Exeter, Hampton, New-Castle and Kingstown, ye two last very small and extraordinary poor, drove to great streights by reason of ye warr. The inhabitants of New Hampshire are few and inconsiderable, there not being 1000 men in ye whole Goverment, and that number dayly lessning, by ye murders of ye salvage enemy, assisted by ye French, and ye removall of sundries for shelter and protection to other places. Ye situation of ye Province is by ye seaside, about 16 miles between ye rivers of Piscataqua and Merimack, having ye Massachusets Goverment on each side of it, and likewise heading of it up in ye countrey, so that it is a punct or small spot in ye center of that Goverment, there being severall seperate Counties there larger than this whole Province. The trade of this Province has formerly been considerable, ye settlements whereof are principally upon ye River Piscataqua, wch. is navigable near 30 miles, accommodated with sundrie branches, into wch. severall great and fresh rivers have their outlets, and is addapted to trade by reason of ye extraordinary conveniency of transportation both up and down, wch. is ocasioned by the swift tide both on ye fflood and ebb, and ye indraft of ye many large branches and of two great bayes, ye one 3 miles in length, ye other 6 miles over in any part of it, both wch. lie at ye head of ye river, wch. for 10 miles together nearest ye sea is not more than half a mile over, and is furnished with great plenty of ffish, such as cod and haddock, wch. are caught 10 miles up ye river, bass, shad, mackerell, herring, blew-fish, alewines, pollock, ffrost-fish, perch, fflounders, sturgeons, lumps, ells, hollowboats, scales, salmon and many others, and all sorts of shell-fish, such as lobsters, crabs, cockles, clams, mussells, oysters, etc. At ye head of almost every branch of said river are great fresh rivers which come out of the countrey, which likewise are full of all sorts of freshwater fish, as pikes, pearch, salmon-trouts, ells, etc., wch. fresh rivers run some 100 miles into the country, some more, some less, and are accomodated with suitable places for mills, iron works, etc., ye land on both sides furnished with wood of all sorts and sizes fit for fireing or timber of all sorts either for building of vessells, houses, etc., wch. land has no sooner ye woods cut down but ye English grass within two or three years cover the face of ye earth, and is extraordinary fodder for all sorts of cattle, wch. were also plenty and cheap and would be again were it not for ye salvage Indians and French, who kill great numbers of them as they feed in ye forrests and woods; which river of Piscataqua furnishes Boston with most of their lumber and severall other places on ye mainland as also ye West Indies, and H.M. Navy with masts, sparrs, rafters etc., and were it not for ye enemy is ye fittest place of all ye present

1708.

settlements of New England for ffishing for ye supply of forreigne markets, being ye most Northerly settlement of those plantations, and ye more Northward ye more fish, and where ye fishermen of other places are obliged to come to take their fish, and after carry to more incirculed towns for cureing thereby to avoid ye danger of ye Enimy. Note further upon some of ye fresh rivers lies great quantities of intervall grounds, inconceiveably rich, fit for ye production of all sorts of grain, hemp, fflax, etc., wch. land is naturally free from wood, and alwaise fit for improvement save in ye winter, when it is overflowed and covered with water, wch. is ye only cause of its fertilyty and will never have occasion of any other dressing than what is left by ye ebbing and decreasing of ye waters. In the Province of N. Hampshire at ye entrance of ye River of Piscataqua is H.M. Castle called William and Mary, formed and built by the directions of Col. Romer H.M. Enginere, but not finished by reason of Col. Rednap his coming from great Brittain in that post and office, wch. prevented ye said Col. Romer his finishing ye same, since wch. nothing more has been done to it, but is in statu quo, save what is tumbled down and gone to decay it being thro' ye poverty of ye inhabitants builded and made of turff and saltmarsh sodds, wch. in a little time moulders and cannot endure ye stormy weather and searching frosts of that countrey. At ye other end of this Island, on wch. ye Castle William and Mary stands, is another inlet from ye sea, wch. is called Little Harbour, wch. end of said Island is something nearer ye sea, and can command a ship sooner than ye other, but here are but two small and inconsiderable gunns and no intrenchments or walls for a guard and security to men, wch. said inlet will admit all small vessells, and is as direct a way into and up ye River, and much more accommodable to land men upon ye mainland than ye great river or harbour is, and ought likewise to be fortifyed and secured to prevent any such attempt, and for ye prevention of illegall trade, there being no watch, guard or ffort to command vessells coming in out of ye sea, or going out without clearance order etc., and is most needfull to be done, but not possible to be effected by ye people who are reduced to great poverty, and indeed not able to defend their inland garrisons for defence of ye women and children from ye barborous Indians. In every town of sd. Province are sundrie garrisons and small fortifications built of small timber or palisadoes, and each garrison erected and defended by eight or ten families or their abouts, wch. is ye only security of sd. families, included against ye Indians, who watch all opportunities of ye people's coming out in order to their destruction and murder, which when they have at any time effected, they strip of ye scalp of ye head and carry them to ye French at Canada where they receive a reward of £5 for every scalp so brought in, wch. barbarous usage doth so much deter and keep back ye people from their labour and callings that many times their families are ready to famish and starve in heaps, wch. necessity obligeth them to out to

1708.

ye improvement of their plantations for corn and hay for their cattle, and thereby are exposed as a pray to ye wild men of ye forests, who are every year lessning our numbers, and I fear in ye end rout us out of that end of ye country having already effected it full 100 miles. The forces or men wch. defend, look after and keep ye sd. Castle William and Mary, are generally 4 or 6, sometime upon any extraordinary occasions 6 or 10 more, who are sent by turns, by order of ye Assembly, thereby to prevent payment, since all persons are to do duty in proportion of time, wch. is very intolerable and distressing to ye poorer sort, to do service and not be payed, while ye family starves at home. The condition of ye Castle is tollerably well at the present so far as is finished but will yearly want repairs,—there are 30 odd guns competently well mounted, but some of them very small, old and useless, and all of them too short for Castle guns,—there is a small powder-room built and finished, none for arms, no houses for entertainment of men. All sorts of stores wanting, for wch. ye Assembly has addressed H.M., wch. they confidently promise themselves H.M. will be graciously pleased to grant, and bestow her bounty to inable them to mentain her Goverment and Castle, and therewith ye masts and stores lying there for ye use of her Royall Navy. There are three small towns on ye other side of Piscataqua River, wch. is in ye Massachusets Goverment, wch. oblidgeth ye sd. Goverment to defend them, and thereby are unwillingly serviceable to ye Province of New-Hampshire, without wch., and had those three towns been drawn in or destroyed, or should they be so, wch. they are in great danger of, it would then absolutely be impossible that the Goverment of N. Hampshire should stand of itself as a seperate Goverment, unless H.M. should immediatly take it into her care and protection, and without wch. at present it is reasonable to conclude it will also fall, the poverty, want of assistance from the neighbouring Provinces and Collonies, and the decay of trade being so great, wch. is further shewed in ye Addresses of that Goverment to H.M. In consideration of all wch., as also that the Province is some thousands pounds in debt, contracted in ye time of peace, and thereby their credit forfited, and for ye preservation of that river and Goverment, it is most humbly proposed, (1) That 200 men be raised and sent over to New Hampshire, to be posted in the Castle, as also for ye releife of the out towns when attacked, or, as need may be, to relieve ye people in their distresses about raising and secureing their harvests, ye enemy of late haveing taken ye methods of pulling down ye fences about ye standing corn, wch. is no sooner done but destroyed by ye cattle, ye owners not dareing to go out to prevent ye same. (2) That a fourth rate man of warr may be sent over to cruize about ye Eastern coast, and for her wood, water and vitling to repair to ye River of Piscataqua, wch. will be a great incouragment to ye inhabitants, and guard to ye River and Navall Stores there. (3) That stores of all sorts be sent over at ye same time and by ye same conveyance.

1708.

(4) That dureing ye extraordinary troubles and dangers of ye Plantations on ye mainland of America, two pacquet-boats may be sent yearly to New Hampshire, by wch. dispatches may be had to and from ye Queen[s] Governors, and ye ships of warr and transportation of men and stores, and other great advantages, both to ye Crown and Plantations, especially since ye King of France has setled such a strong garrison so near, and is infesting ye coast of New England both wth. ships of warr and privateers. (5) That ye two nests of French, (vizt.) Canada and Port Royall setled on ye backs of ye English on ye mainland of America be rooted out, wch. is ye only ready and certain way to procure peace, for all ye Plantations of English there, wch. might easily be effected by one of ye squadrons of men of warr, wch. yearly go to ye West Indies, and be no great hindrance to their intended voiage, wch. if H.M. would vouchsafe to grant, hir good subjects on ye Continent there would heartily joine as one man to make those two Plantations of ye french King's subjects submitt and subject themselves to ye Crown of great Brittain. (6) That ye Maquas or Five Nations of Indians which alwaise were in ye English interests be incouraged by ye Govorner of New York against ye Enemy, who have been kept back and are in number as many as ye Enemie Indians, who, if they had been duely incouraged, might before this time have put all ye plantations far from ye fear of such an enemy, and saved ye lives of more than a thousand English people who have been murthered, and their towns and plantations have been held and mentained, wch. were many and large, and are now growing up again into a wilderness, besides the expence of more than £100,000. *Signed,* Geo. Vaughan, Agent for N. Hampshire. *Endorsed,* Recd. 6th, Read 13th July, 1708. *Holograph.* 6¼ *pp.* [*C.O.* 5, 864. *No.* 227; *and* 5, 912. *pp.* 452-461.]

July 6. Whitehall. **20.** Council of Trade and Plantations to the Earl of Sunderland. *Enclose following* for H.M. signature.

20. i. Draft of Additional Instruction to Governor Lord Lovelace. Whereas We have thought fit by Our Order in Council of June 26, 1708, to repeal an Act past at New York, Nov. 27, 1702 *for repealing Acts, etc.*, and to confirm the Act *for vacating extravagant grants, etc.*, by the confirmation of which Act, several large tracts of land (as by the said Act will more fully appear) are resumed to us, and are in our disposal to regrant as we shall see occasion, Our will and pleasure therefore is, that you may regrant to the late Patentees of such resumed grants a suitable number of acres, not exceeding 2000 to any one person; and that in such grants, as well as in all future grants, there be a reservation to Us, Our Heirs and successors, of an yearly quit rent of 2/6 for every 100 acres, with a covenant to plant, settle and effectually cultivate at least 3 acres of land for every 50, within 3 years after

the same shall be so granted, upon forfeiture of every such grant. And for the more convenient and equal setting out of all lands to be granted within Our said Province of New York, Our further will and pleasure is that you, Our Governor, or the Commander in Chief of Our said Province for the time being, the Collector of Our Customs, Our Secretary, and Surveyor General of New York for the time being (the Surveyor General always to be one), or any 3 or more of you and them, do set out all lands to be hereafter granted, and that therein you have regard to the profitable and unprofitable acres, so that each grantee may have a proportionable number of one sort and the other; as likewise that the length of each tract of land to be hereafter granted do not extend along the banks of any river, but into the mainland, that thereby the said grantees may have each a convenient share of what accommodation the said Rivers may afford for Navigation or otherwise. And to prevent any impediment which the production of Naval Stores in Our said Province may receive from such grants, you are to take care, that in all new Patents for land, there be inserted a clause to restrain the grantees from burning the woods to clear the land, under the penalty of forfeiting their patent, and you are to use your endeavours to procure an Act to be passed in the Assembly of Our Province of New York for that purpose. And lastly, Our pleasure is, that in the said patents, there be likewise a particular reservation to Us, Our Heirs, and successors, of all trees of the diameter of 24in. and upwards, at 12in. from the ground, for masts for Our Royal Navy; as also of such other trees as may be fit to make plank, knees, *etc.* for the use of our said Navy. [*C.O.* 5, 1121. *pp.* 297-300; *and* 5, 210. *pp.* 109-111.]

July 7.
Whitehall.

21. Council of Trade and Plantations to the Lord High Treasurer. Enclose Office Accounts for payment. *See* B. of T. Journal, July 7. [*C.O.* 389, 36. *pp.* 365-367.]

July 7.
Temple.

22. Mich. Newman to the Council of Trade and Plantations. He will not be able to attend at the Board upon his brother's business for a week *etc.* *Signed,* Mich. Newnam. *Endorsed,* Recd. Read July 7, 1708. *Addressed.* ½ *p.* [*C.O.* 37, 8. *No.* 69; *and* 38, 6. *p.* 411.]

July 7.
Whitehall.

23. Council of Trade and Plantations to Lt. Governor Bennett. Enclose Orders in Council of June 26 *etc.* [*C.O.* 38, 6. *p.* 412.]

July 7.
Whitehall.

24. Council of Trade and Plantations to Mr. Bridger. *Acknowledge* letters of March 9 and 13, 1707/8. We are very sorry to perceive there is such wast made in the woods; but

1708.

we are of opinion it may in a great measure be prevented by putting in execution the Act *for encouraging the importation of Naval Stores*, and by prosecuting the transgressors of that Law; we doubt not but the Governor will give all the assistance necessary in a matter tending so much to H.M. service. Since you say that Mr. Mico only cutts small masts, and that in inclosures, which he might have done: why then did you take the bond from him; we find that you have cancell'd it, but you should have explain'd that matter to us. Your cheife complaint is against Mr. Plaisted for cutting of masts, (notwithstanding his being forbid by you) contrary to the clause of reservation in the Charter, and in the forementioned Act of Parliament, without haveing H.M. license for the same, which is absolutly necessary, tho' a contract be made with the Navy Board, he ought therefore to be prosecuted for so doing. And we doubt not, if this method be taken, it will effectually prevent such waste for the future. In all contracts with the Navy Board the time is specify'd within which such contract is to be perform'd, and therefore if Mr. Plaisted's contract was expired at the time when he cut the masts, you mention, or if he had before cut the full number contracted for, then, in either of these cases, his pretended license in 1691 is null and void, besides, the trees to be cut by any license ought first to be veiwed by H.M. Surveyor of the Woods, as is specify'd in the said licenses. As to your receiving the fines that may become due upon prosecution of this nature, we can give you no particular directions therein. But it seems to us reasonable that the said fines should be paid into the hands of the Receiver General, till upon your giveing an account of the same, H.M. pleasure, shall be known therein. If the masts be cut in H.M. woods, they ought to be reserved to H.M., but if they be cut within the grants of pryvate persons it may be dificult for you to justify your seizing the same, for it will lye upon you to prove that they were not under such grants. And we doubt not but you have been cautious therein, before you made the said seizures. You ought to comply with your Instructions in going to New York, so soon as H.M. service will permit. As to the bills you have drawn for your travelling charges etc., that matter does not properly appertain to us; but you may remember that when you were here, and solicited at the Treasury for a summ to be alowed you for travelling and other incident charges, that was not comply'd with there; and therefore you ought not to have drawn such Bills without leave from the Treasury for so doing. We are laying before H.M. the substance of what you have writ to us in relation to the waste in the woods, and so soon as H.M. pleasure shall be declared thereupon, you will have timely notice. We have as you desired laid before H.R.H. a copy of your letter, but we find that he has received the like from yourself, which you ought to have informed us of. You say that one reason for the decrease of the importation of Naval Stores from New England is the Navy's not paying the premiums according to the Act of Parliament; upon which we must take notice that this is a misinformation, for you will perceive by the inclosed account from the Custom House what certificates have been allow'd of the goodness of Naval Stores from the commencement of the foresaid Act of Parliament to Nov. 29, 1707; and we have been informed by the merchants who import Naval Stores, that they have received bills from the Navy Board accordingly, which bills will be paid in course; so that upon strict examination we don't find that the said premium was ever refused to the importers of such Naval Stores; however, we shall further consult the said merchants, in order to the better promoting the importation of Naval Stores from the Plantations, as much as possible. [*C.O.* 5, 912. *pp.* 444-448.]

July 7.
St. Christophers.
25. Governor Parke to the Council of Trade and Plantations. I had the honour to receive yours dated Aprill 15th, relateing to the Affrican Company. I have just now sent to their Agent at Antigua to draw out an accompt as your Lordships desire; as to this Island, there never was any Agent; their agent that was at Nevis before it was plundered is dead, and I am afraid his books lost when that Island was plundered, and since I came there has been no negroes brought there by the Company; and onely one small vessell by private trade, at Mountserrat there has been none; at Antigua the Company has had one ship and two small sloops, this is of my owne knowledge; but as soon as I can persuade the Agent to do it I shall send your Lordships the accompt as I am ordered. 'Tis true I have an instruction relateing to the Affrican Company to assist them in the recovery of their debts and to send yr. Lordships an acct. of what negroes imported; accordingly some little time after I came I sent to Mr. Chester their Agent to send me the accompt, he sent me a proud answer that he had no orders from the Royall Company to obey my orders, but some time after he sent me a lame imperfect accompt of one vessell onely, which I did not think fitt to trouble your Lordships with. I told him what orders I had, he said he had nothing to do with the Committee for Trade. I told him he was very impertinent, and in returne he told me he would not change his post for mine, for that he got twice as much mony, and had less to do, and was not obliged to the fateigue of goeing from Island to Island; this was at my first arrivall, which made me think I had a strange sort of people to deal with, but resolveing to make myself easy took no further notice of it, but took all occasions to let him know I would give him all manner of encouragement. Sometime after I went to St. Kitts, and from thence writt to him to send me downe 20 negro-women out of the first ship that came, and left the price to him, accordingly he sent me 20, one of which died before they were ship'd, and in two month's eight more died, and yet he charged me £800, which was £300 more than I could have had the best negroes from Barbados, and made it his braggs to the rest of his chapmen how he made me pay more

then them. I sent for severall other things from him as I wanted them, he being our greatest merchant, and he charged me in proportion for everything as he had for the negroes, and I did not know how I was to be used untill I came to settle accompts with him, which was not long since, and then as a very great favour he gave me credit for £150 as an abatement, whereas in his whole accompt he had charged me 4 or £500 more than anyone else would have done. I would have writt home to the Company, but I thought it might be ill construed, and that they would be apt to think I had a mind to quarrell with their Agent except he lett me have negroes at my owne price; nor had I writt this story to your Lordships now but to lett you know it has not been my fault you had not the accompt sooner; The minutes of all the Councills have been sent your Lordships from my arrivall to the first of this month, and an accompt of all the stores; if your Lordships does not receive duplicates, 'tis not my fault, I have much ado to gett those I send; the officer that has charge of the stores has no reward, he is onely excused doing duty in the Millitia; and the several Deputy-Secretarys gett so little by their places 'tis hardly worth their while to keep them, and if I should suspend them, I know not where to gett others to put in. As to the Treasurer of Antigua, he tells me his accompts with the Assembly every yeare, and has his discharge, and is not obliged to have whole books transcribed. If I will be at the expense of doing it, I may (which cost me in this place at least £50.) Your Lordships may see in the Minutes what paines I took to gett a law for holding Courts, but to no purpose; how the law they have at present came to pass here and at home, I cannot imagine, had I passed such a law, I should have thought I deserved to lose my head; for by it every ffreeholder has the same priviledge as a Peer of England, his person is to be sacred, and by it no poor man is able to sue, nor can any one in England by his Attorney hardly ever recover his due here (as Mr. Dumma and Mr. Baron will be able to informe you), and when judgement is obtained, 'tis two yeare before you can come to levy an execution upon anything that may do you good; there is no help for it but an Act of Parliament that I know of; for they pretend the Queen can't repeal it, and I am sure they never will. *P.S.* Inclosed I send your Lordshipps the imports and exports of this Island, and allso an Adress to the Queen, wch. we beg your Lordshipps to present. *Signed,* Daniel Parke. *Endorsed,* Recd. Sept. 17, Read Oct. 28, 1708. 3 *pp.* [*C.O.* 152, 7. *No.* 58; *and* 153, 10. *pp.* 205-209.]

July 7.
Whitehall.

26. Council of Trade and Plantations to Col. Jenings. *Acknowledge* letter of March 26, giving us an account of the peaceable state of the Colony under your care, with which we are very well satisfyed, and doubt not but by your prudent management the attempts any Indians may make to give you disturbance will be frustrated. And in relation to the enemy's privateers, we hope ye convoy yt. sail'd hence some time ago will effectually protect ye coast of Virginia during their stay there. [*C.O.* 5, 1362. *p.* 297.]

July 7.
Treasury Chambers.

27. Wm. Lowndes to Mr. Popple. Encloses following papers concerning Mr. Keble's petition for the consideration of the Council of Trade and Plantations. *Set out,* New Jersey Archives 1st ser. iii., 329, 341-343. *Signed,* Wm. Lowndes. *Endorsed,* Recd. Read July 7, 1708. *Addressed.* 1 *p. Enclosed,*

27. i. Proposals of John Keble *etc.* in explanation of his petition. *cf* May 27, June 7, 1708. *Endorsed as preceding.* 1 *p.*

27. ii. Certificate in favour of Mr. Keble. *Signed,* Jos (?) Evans, of New Jersey, Wm. Penn, Jno. Finney and James Thomas of Pena., Evan Evans, Minister of Philadelphia. ¾ *p.*

27. iii. Certificate of R. Dennett, Soap-maker, as to the good quality of 2 barrels of American pot-ash made by John Keble. *Signed,* Robert Dennett. ¼ *p.*

27. iv. Certificate, similar to preceding, signed by the same and six other soapmakers of London. ¾ *p.*

27. v. Commissioners of Customs to the Lord High Treasurer. Enclose following. *Continue*:—If the manufacture of potashes can be brought to perfection in the Plantations, it will be a usefull trade, and of publick benefitt to the Kingdome. Custome-house, London. July 1, 1708. *Signed,* Sam. Clarke, T. Newport, Jo. Werden, J. Stanley, M. Dudley. 1 *p.*

27. vi. Imports and Exports of Pott and Pearl Ashes. Inspector General's Office, June 29, 1708. From East-Country, 1704-1706, total, 8,192,494lb. at 2½d. to 3½d. per *lb.* Holland, 28,135. Ireland (1704) 14,581. Russia, 1,637,600. Sweden (1706) 7,040. New England (1705) 250. Pennsylavia (1704) 630. Prize-goods (1705) 2016. Germany, Pearl-ashes, 295,386. Total import, for 3 years, 10,178,132lb. Value, 127,226*l.* 13*s.* 1 *p.* [*C.O.* 5, 970. *Nos.* 76, 76.i.-vi.; *and* (*without enclosures ii., iii., iv., vi.*) 5, 994.A. *pp.* 451-453, 456-458.]

[July 8.]

28. Mr. Keble's Addition to *above* proposals. *Proposes* to pay H.M. 6d. a bushel for the salt he makes. "My patent for salt-making I apprehend the cheif-foundation towards carrying on of my pott-ash works." The transporting 16 servants will not amount to above £80, which he craves may be allowed him, *etc.* *Signed,* John Keble. *Endorsed,* Recd. Read July 8, 1708. ¾ *p.* [*C.O.* 5, 970. *No.* 78; *and* 5, 994. *p.* 458.]

July 8.
Whitehall.

29. Council of Trade and Plantations to the Queen. Report on the case of Alexander Skene (*cf.* Aug. 13, 1705 *etc.*) *Summarize evidence given supra.* Upon the whole, we humbly represent that the first Article, relating to his being concerned in the taking of the said Lee by force from off Barbados, is not fully proved, there being but the single affidavit of Capt. St. Loe, which consists chiefly of hearsaye. The second article, relating to his taking 17/6 and 3/9 from Masters of ships for liberty to sail has been fully proved by depositions and Skeen's answer thereto, except that he takes no notice of the 3/9, for the Minute of Councill of Barbadoes, which he referrs to, of Nov. 21, 1704, we observe, that it was made 6 months after Skeen's having taken the fees abovementioned, so that we do not see how it can be of any use towards his justification; and therefore we humbly represent to your Majesty, that the obliging Masters of ships to petition for liberty to sail, and the exacting of fees for the draughts of such petitions and licences to sail, are new impositions, and a burden upon trade; and we humbly offer that your Majesty be pleased to signify to the Governor of Barbadoes your dislike thereof, that such evil practices may be prevented for the future. As to the Article relating to Skeen's receiving £210, for procuring a fleet to be stop't which was ready to sail, we observe that in his answer, (which is not upon oath) he seems rather to evade his having received the said summe, than to give any direct answer in that point, and refers himself to his tryal, by which we find he does not make any answer to that part of Guy Ball's affidavit, nor is there once mention made on the part of Skeen of such summ either received or not received by him; Notwithstanding Skeen has been tryed and acquitted by his Jury, yet from what has appeared to us from the aforesaid affidavits, and a due observation made upon the said tryal, we are humbly of opinion that the said Skeen is guilty of having exacted unusual fees from Masters of ships, and of bribery in taking the £210 aforementioned. [*C.O.* 29, 11. *pp.* 272-280.]

July 8. Whitehall. **30**. Council of Trade and Plantations to Governor Dudley. *Enclose* duplicate of April 15. Your last was dated Oct. 10, 1707. *Refer to* Mr. Bridger's letters of March 9 and 13. We must desire you to give him all incouragment and assistance in his prosecutions of the persons so offending, and that you do use your best endeavours with the Assembly to pass an Act with sufficient penalties on all such persons as shall presume to cut masts, contrary to the clause of reservation in the said Charter. As to what you write touching the want of Counsellors and recommending Messrs. Waldron, Hilton and Smith for the Council of New Hampshire, we have some time since represented the same to H.M., who has been pleased by her Order in Council to approve of the said persons. And we have acquainted Mr. Chamberlain therewith, that he might take out the said orders, and transmit them to you for their admission into the said Council accordingly.

P.S. Whereas we have been informed amongst other things by Mr. George Vaughan, Agent for New Hampshire, that the Indians from Canada, watching all oppertunitys to murder H.M. subjects in New Hampshire, and when they have so done, strip

1708.

off the scalp of the head and cary them to the French at Canada, where they receive a reward of £5 for every scalp so brought in; this is so barbarous and inhuman that it ought by any means to be prevented, and therefore you ought immediatly to write to the Governour of Canada and signify to him that unless he forbear to incourage such barbarities, and do not effectually prevent it, you shall be obliged to make reprisals, and to treat all the French that shall fall into your hands with the utmost severity. [*C.O.* 5, 912. *pp.* 448-451.]

July 8. **31**. Certificate that Capt. Gookin has given security for observing the Acts of Trade, *etc.* *Signed*, Hen. Stevens, D. Rembr. *Endorsed*, Recd. Read July 8, 1708. ½ *p.* [*C.O.* 5, 1264. *No.* 50; *and* 5, 1292. *p.* 65.]

July 8. Whitehall. **32**. Council of Trade and Plantations to the Queen. *Refer to* Mr Penn's Declaration (July 2) and Capt. Gookin's bond (July 8), and recommend the latter accordingly for H.M. approbation as Dep. Governor of Pensylvania, without limitation of time, and of the three lower Counties during H.M. pleasure only. "We do further humbly lay before your Majesty a draught of Instructions for Mr. Penn relating to the Acts of Trade, to the like effect as have been given to him and all other Proprietors of Plantations upon the like occasion." [*C.O.* 5, 1292. *pp.* 65, 66.]

July 10. Boston. **33**. Governor Dudley to the Council of Trade and Plantations. I am not willing to omit any opportunity humbly to acquaint your Lordpps. with the state of H.M. Provinces, as my duty is; tho. there is nothing of moment since my last publick accounts of the year by H.M.S. *Deptford*. We have some little mischiefs amongst our fishermen by the French privateers, and our neighbours of Quebec have been looking upon our frontiers; but our partys upon the borders are so diligent and careful that we have suffered no considerable loss these nine months past. The Assemblymen, or Representatives of this Province, are chosen every year against the General Assembly for Election of Councellours, holden in May as the Charter directs; and it was observed this year that there was a considerable alteration more than usual in that House, and accordingly when they came to the Election of the Council, they shewed their temper and left out three principal Gentlemen of the Council of approved loialty and of the best estates in the Country, and brought in others of a much less character. Out of the whole number of 28, by virtue of H.M. Prerogative of right, and as is usual I refused two of that election, and they chose two others, and so the Assembly proceeded to their buisness. Amongst other things offered them for H.M. service, I had observed that, notwithstanding the provision in the Charter for the preservation of H.M. Woods and great timber, several wasts had been made, and when the Surveyer presented the

1708.

delinquents, it was objected that there was no law of the Province agreeable to the Charter; I therefore offered such a law in the words of the Charter, (copy inclosed), which was soon agreed in Council; but the Representatives refused it; I again returned it to their consideration, as being the words of the Charter, and enforced it with a letter of his late Majesty King William lying on file, directing that such a Law should be enacted. They again and finally refused it, to the great prejudice and dishonor of H.M. rights and most valuable interest. In the same session they presented the Council with a list of grievances, to which the Council made answer, the copys of both are inclosed, and I am humbly of opinion the reading of them will justify me before H.M. If the defence of H.M. fortifications and small expence upon H.M. Birthday, and a troop of guards attending the Governour thro' the depth of the Country in sight of the Enemy be grievances, I humbly submit myselfe to H.M. censure. Soon after, they sent in their votes to have £200 paid to the Governour for his support, and £225 for the Treasurer, who is a person chosen by themselves. The Council sent back their votes, earnestly moving they would put a greater honour upon H.M. Governour than upon their own Treasurer; but could obtain no alteration in those votes: the Gentlemen of the Assembly, alledging that they must sometimes make alterations in their grants of money, otherwise it would looke as if it were a salary, which they resolved to avoid. Tho' H.M. has often repeated Her commands since my coming hither that a setled salary should be established for her Governours, which they have as often denyed. I will trouble your Lordships with one Article more. I moved the Council and Assembly to Address H.M. upon the Union and any other affaires of their own that they might have to offer. The Council thereupon sent the Representatives an Address upon the Union, and votes to joine their Committees in any other affaire; which have been usual in all times past; This they refused: and since they rose, I am informed they have sent away an Address from that House alone; when it seems in their long session they had reduced them from 77 members to about 40, and of them about twenty-two or three agreed this Address; the Governour and Council being perfectly ignorant of what is contained therein. I most humbly pray your Lordships' consideration of what is foregoing, and if anything be inconvenient in that Addresse or other their Papers, it may not be attributed to myselfe or H.M. Council, but truly, as it is, of a few men that are displeased and restless; who are also put forward by some persons attending at Whitehall in hopes of removing me from my station. The value of my Office will make nobody fond of it; but I am not willing (if I may have H.M. favour) to be by such methods bubled out of an Honourable Post; wherein I have served H.M. faithfully with all diligence and acceptance of the People; and doubt not for the future of so doing, if H.M. shall be so graciously pleased. *Signed,* J. Dudley. *Endorsed,* Recd. Read Nov. 29, 1708. 3 *pp.* *Enclosed,*

1708.

33. i. Minutes of the Council and Assembly of the Massachusetts Bay, June 24, 28, 1708, relating to an Address to H.M. The Council propose a joint Committee to prepare the heads of the Address, not thinking it reasonable that either House should be tied up to heads proposed by one House singly. *Referred to in preceding. Endorsed*, Recd. Nov. 16, Read Dec. 17, 1708. 1 *p.*

33. ii. Resolves of the Assembly of the Massachusetts Bay, granting £200 for the Governor's support, and £225 for the Treasurer. July 3, 1708. *Referred to in preceding. Same endorsement.* 1 *p.*

33. iii. Minutes of the Council and Assembly of the Massachusetts Bay, July 1, 2, 1708. (a) Grievances sent up. Complain of money being spent (1) on men for looking after Salem, Marblehead and Charlestown fortifications, (2) on illuminations at the Council Chamber (3) entertaining the Court Martial in Sept. (4) paying Capt. Southack 40*s.* more per month than any sea commander (5) allowing large sums for the support of the Governor and his guards eastward into N. Hampshire without the concurrance of the House. Complain that the President of the Colledge is not dismissed from his places of Judge of Probate and Justice of the Peace, whereby he is hindred from devoting himself entirely to that work. *Signed*, Thomas Oliver, Speaker. (b) Reply of the Governor and Council. (1-3) The sums referred to are very trivial. The first is in accordance with the object of the vote as declared by the Representatives themselves. The second for the celebration of H.M. Birthday, Coronation and Accession. The third for an enquiry into the miscarriage of the expedition to Nova Scotia. (4) Capt. Southack is paid less than the English establishment for a ship of the same rating. (5) The "large sums" amount to £60 for several journeys in one year. It is necessary that the Governor should visit the forces defending the Eastward part of the Province etc. *Same endorsement.* 2¾ *pp.*

33. iv. Copy of a Bill, proposed by the Council and rejected by the Assembly of the Massachusetts Bay, June, 1708, *for the better providing of masts of H.M. Navy. Same endorsement.* 2 *pp.* [*C.O.* 5, 865. *Nos.* 6, 6.i.-iv.; *and* (*without enclosures*) 5, 913. *pp.* 30-35.]

July 11. Windsor. **34.** Two Orders of Queen in Council, appointing Councillors for Nevis and St. Kitts, *as proposed* July 1. *q.v. Signed*, Wm. Blathwayt. *Endorsed*, Recd. 16th, Read 19th *Nov.* 1708. 2 *pp.* [*C.O.* 152, 7. *Nos.* 62, 63; *and* 153, 10. *pp.* 216-219.]

July 11. Windsor. **35**. Order of Queen in Council. John Rayner is to be appointed Attorney General of New York in place of Sampson Broughton *etc. Signed*, Wm. Blathwayt. *Endorsed*, Recd.

1708.

Read Aug. 23, 1708, 1¼ *pp.* [*C.O.* 5, 1049. *No.* 93; *and* 5, 1121. *p.* 324.]

July 12. Windsor.

36. H.M. Warrant to Governor Lord Lovelace for the appointment of John Rayner as Attorney General of New York *etc. Countersigned,* Sunderland. *Endorsed,* Recd. Read July 30, 1708 *Copy.* 1 *p.* [*C.O.* 5, 1049. *No.* 89; *and* 5, 1121. *pp.* 314, 315; *and* 5, 210. *pp.* 107, 108.]

July 13. Whitehall.

37. Council of Trade and Plantations to the Earl of Sunderland. *Enclose* Representation, recommending Capt. Gookin (July 8), to be laid before H.M., "not knowing when there will be a Council, and that the said Gookin may not lose the opportunity of transporting himself to Pensylvania, with the Lord Lovelace, who is on his departure for New York" *etc.* [*C.O.* 5, 1292. *p.* 67.]

July 13. Whitehall.

38. Council of Trade and Plantations to Mr. Secretary Boyle. *Reply to* July 4. We find no precedent of a salary being settled here upon foreign clergymen in the Plantations, only that at New York the French Minister there has a salary of £20 out of the Revenue. But as the said Kocherthal is very poor and the Lutherans, who go over with him, are not in a condition to make him any allowance, we humbly offer that Lord Lovelace have directions to grant him a reasonable portion of land for a glebe *etc.*, and that he be allowed £20 for his voyage *etc. Set out,* New York Docs. v. *pp.* 62, 63. *q.v.* [*C.O.* 5, 1121. *pp.* 303, 304.]

July 13.

39. Mr. Solicitor General to the Council of Trade and Plantations. *Reply to* June 11. In answer to the first quaere, my humble opinion is, that since the Statute of the 15th of Charles II does expressly require all Masters of ships coming to the Plantations to make known their arrivall, and give in an inventory of their goods to the Governor there *or such officer as shall be by him thereunto authorized and appointed*, before any goods be unladen, that the appointment of this Officer, who is now called the Navall Officer, does solely belong to the Governor of such Plantations; and therefore if the Crown constitute a person to execute this office, and the Governor appoint another person; I think all Masters of ships will be oblidged to apply to the Navall Officer appointed by the Governor; and the patentee will not be in such case impowered to doe the things required by such Officer mentioned in the said Act of Parliamt. (2) I hold consequently that the said office can never be said to be full by vertue of Letters Patents from the Crowne. (3) I don't think the present Governor can be said to have dispossessed Mr. Cox of the said office by appointing a Navall Officer; because if Mr. Cox was not appointed by the Governor, he never was the Officer mentioned in the Act of Parliament, who is described to be one that is authorized and appointed by the Governor; but in regard the Governors of the Plantations are put in by the Crown only during pleasure, I take it for granted no one will make any difficulty in appointing such Navall Officer as the Crown shall best approve of. *Signed*, Jas. Mountague. *Endorsed*, Recd. 10th, Read 20th Aug., 1708. *Addressed*. 3 *pp*. *Enclosed*,

39. i. Copy of June 11, 1708. C.S.P. *No*. 1539.

39. ii.-v. Copies of clauses in Acts of Parliament, *for the encouragement of Trade, etc.*, and *the preventing frauds, etc.*, and in Governor Crowe's Instructions. 9 *pp*. [*C.O.* 28, 11. *Nos*. 12, 12.i.-v.; *and* (*without enclosures*) 29, 11. *pp*. 293-296.]

July 13. Whitehall. **40**. Council of Trade and Plantations to the Earl of Sunderland. *Reply to* letter of July 6. *Refer* to Order in Council concerning Seals May 31, 1702 (C.S.P. 1702. *No*. 555). Pursuant to the said Order Mr. Harris, then Seal-cutter to H.M., frequently attended this Board in order to make the proper alterations, and as it will be necessary that the present seal-cutter do attend us from time to time, we offer that he may have a general warrant for preparing Seals for H.M. Provinces of New Hampshire, the Massachusets Bay, New York, New Jersey, Maryland, Virginia, Jamaica, Barbados, the Leeward Islands, and Bermuda, pursuant to the directions he shall receive from H.M. Commissrs. of Trade and Plantations in that behalf. [*C.O.* 324, 9. *p*. 219.]

July 13. Whitehall. **41**. Circular Letter from the Council of Trade and Plantations to the Governors and the Proprietors of the Plantations. We inclose an additional Instruction in pursuance of several Acts past here, relating to Trade and Navigation, [see June 29, 1708]; and you are to take care and give the necessary directions that the true intent and meaning of the said Instruction be punctually and duly complied with in your Government. [*C.O.* 324, 9. *p*. 220.]

[July 14.] **42**. Receipts by Mr. Popple and Mr. Kocherthal for £100 for the use of the German Refugees June 4-July 24. *Cf*. May 10, 1708. *Signed*, Wm. Popple, Joshua de Kocherthall, San Jacob Plattell. 1 *p*. [*C.O.* 5, 1049. *No*. 81.]

July 15 Whitehall. **43**. W. Popple to W. Lowndes. Report upon the proposals of John Keble (*see July* 7), to be laid before the Lord High Treasurer. Their Lordships are of opinion that pott-ashes being a commodity so absolutely necessary here, the setting up of pott-ash works in the Plantations will be of very great advantage to this Kingdom, besides the particular advantage it will be to H.M. in her Revenue of the Customs; and therefore such a work ought to be incouraged as much as may be: for the returns for the American pott-ashes will be made in the woolen and other manufactures of this Kingdom; whereas at present all the pott-ashes we have from the Czar of Muscovy's Dominions are paid for two-thirds in mony and but one

1708.

third in goods, which is a great disadvantage in our trade. *Recommend* that credit be given to Keble for £200 upon security, *etc.* and that he be allowed the transportation of 16 servants at £5 per head. As to his patent for making of salt, their Lordships have nothing to offer, till they receive the certificates he has promised. *Set out, New Jersey Archives* 1st ser. iii. 347. [*C.O.* 5, 994. *pp.* 459-462.]

[July 15.] Kensington. **44.** H.M. Licence to Francis Collins to cut timber in New England in pursuance of his contract to load three ships per annum with masts for the Navy, for five years. May 31, 1707. *Countersigned,* Godolphin. *Endorsed,* Recd. Read July 15, 1708. 1¾ *pp.* [*C.O.* 5, 864. *No.* 230.]

July 15. London. **45.** List of guns and stores wanting at New Hampshire. *Signed,* Geo. Vaughan. *Endorsed,* Recd. Read July 15, 1708. 1½ *pp.* [*C.O.* 5, 864. *No.* 229.]

July 15. Whitehall. **46.** Council of Trade and Plantations to the Earl of Sunderland. *Report upon* petition of Mathew Newnam (*cf* June 27, 1707.) Wee find that he has been guilty of threatening and abuseing of the Governor, Judges and Justices of the Peace, in Bermuda, in a very gross manner, and that he has been a frequent disturber of the peace there; and we pray your Lordship to represent to H.M. our humble opinion that notwithstanding the said Newnam's behaviour, the bail in £500 demanded of him for his appearance, and the fine of £100 imposed on him considering his circumstances, are both of them excessive, and contrary to the Bill of Rights. And we further humbly offer that in regard the petitioner has now lain in prison near upon two years, which may be a sufficient punishment for his crime, H.M. be pleased to extend her mercy to him by remitting his said fine, and by directing the Governor to release him out of gaol, upon condition that the petitioner either depart the Island within a reasonable time, or that he give sufficient security for his future good behaviour, himself to be bound in £100, with two suerties in £50 each. [*C.O.* 38, 6. *pp.* 413-415.]

July 15. Whitehall. **47.** W. Popple to Josiah Burchett. Encloses 30 copies of H.M. Proclamation, June 26, to be dispersed and published by Capt. Chamberlain, H.M.S. *Advice,* in the Harbours of Newfoundland *etc.* [*C.O.* 195, 5. *pp.* 57, 58.]

July 16. Admiralty Office. **48.** J. Fawler to W. Popple. *Reply to preceding.* The necessary instructions are given to Capt. Chamberlain, *etc.* *Signed,* J. Fawler. *Endorsed,* Recd. Read July 19, 1708. *Addressed.* ¾ *p.* [*C.O.* 194, 4. *No.* 72; *and* 195, 5. *p.* 58.]

July 16. Custom-house. **49.** Mr. Carkesse to Mr. Popple. Encloses following *Signed,* Cha. Carkesse. *Endorsed,* Recd. Read July 19, 1708. *Addressed.* ½ *p.* *Enclosed,*

1708.

49. i. The Collector of Cowes to the Council of Trade and Plantations. July 12. We have not here any ships employed in the Fishery at Newfoundland. *Signed*, Tho. Cole *etc.* ½ *p.* [*C.O.* 194, 4. *Nos.* 73, 73.i.]

July 17.
Windsor.
50. Royal Warrant to John Roos for making new seals for the Plantations in America, *etc.*; *as proposed* July 13. *Countersigned*, Sunderland. *Endorsed*, Recd. Read Aug. 3, 1708. 1 *p.* [*C.O.* 323, 6. *No.* 67; *and* 5, 751. *No.* 76; *and* 324, 9. *p.* 248.]

July 19.
Whitehall.
51. W. Popple to W. Lowndes. *Encloses* copy of Mr. Byerley's letter of Dec. 13, 1707, for the Lord High Treasurer's directions thereupon. [*C.O.* 5, 1121. *p.* 308.]

July 19.
Whitehall.
52. W. Popple to Thomas Byerley. *Acquaints him with above procedure.* Lord Lovelace is now on his departure, and will no doubt put an end to the hardships you complain of, *etc.* [*C.O* 5, 1121. *pp.* 308, 309.]

July 19.
Windsor.
53. The Earl of Sunderland to Governor Handasyd. Recommends the bearer, Don Pietro Marino Sermain, going to the Spanish West Indies with intention to do service there to his lawfull King Charles III, and to the common cause, *etc.* *Signed*, Sunderland. [*C.O.* 5, 210. *p.* 113.]

July 19.
Whitehall.
54. Council of Trade and Plantations to the Earl of Sunderland. Mr. Vaughan, Agent for New Hampshire, having laid before us a Memorial of the state of that Province, and acquainted us that he has presented to H.M. by your Lordship some Addresses relating among other things to their want of stores of war, we take leave to acquaint your Lordship that the circumstances of that Province are such as do require a speedy supply, and therefore we desire your Lordship would receive H.M. pleasure upon the said Addresses as soon as conveniently may be. [*C.O.* 5, 912. *p.* 462.]

July 20.
Whitehall.
55. W. Popple to Wm. Lownds. *Encloses* extract of Governor Dudley's letter relating to the commissions of the Collector and Comptroller of Customs at Boston, for the Lord High Treasurer's directions thereupon. [*C.O.* 5, 912. *p.* 480.]

July 20.
Jamaica.
56. Governor Handasyd to the Council of Trade and Plantations. I am to own the receipt of your Lops. of Jan. 29, March 25 and Aprill 15. As to the 6 cruizing ffrigots, my meaning is 6 very good sailers, 3 of which I would always have out, 2 of them to cruize to windward to keep the coast clear, the other to be with the trading vessells either at Porto Bell or Carthagene; and the other 3 to lie ready carrened in harbour to go out upon their return, the least of them I think ought to be from 40 odd to 50 guns: This will keep the coast clear of French traders, they being seldom strong enough

1708.

to do such a Force any damage, and when they are, we may depend on our sailing. I dare not venture to give your Lops. my opinion what ships are necessary to guard the Island, or convoy the trade from Great Britain here, and from hence back, for fear any accident should happen contrary to my expectation, but must leave that to your Lops. and people of better judgment than myselfe, who know better what the Enemy are doing in Europe than I can here. As to the Councellors, I can say no more than that it has been a custom for the Councill to have the same priviledge the Assemblys have, which I look upon to be no more than fformality, for I have always told them, that neither myselfe nor any of them, as long as I am in the Government should be protected from paying their just debts, and I must do them that Justice, that I think there are not any of them that stand in need of it, nor have been protected for these 7 years past, that I have been in the Island; and I dare venture to give your Lops. under my hand, that whoever has informed you of anything like it, has said what is not just. I enclose a list of the Patent Offices of this Island, with the value of them, which is the account that the Patentees or Deputys have themselves given me in; my opinion is, that most of them make more of their Offices, but not near what they are generally adjudged to be worth, living here being of great expence, and I do not see that any of them save mony. As to your Lops.' of Aprill 15, in relation to the Negro trade, here have been so many different Officers in the Offices concerned in that affair, that it is impossible to give your Lops. full information of it, from the time your Lops. would have it, by this opportunity, but I hope to send you a satisfactory account per the next packett, with the best remarks upon it that I can make. I herewith send your Lops. a list of the galleons, and the other vessells that were with them, when they were attack'd by Mr. Wager. I understand Mr. Wager intends to bring the two Captains that were then with him to a triall, as soon as the ships expected from great Britain arrive, that they may be able to make up a Court Martiall: By the account that I have had from my own Officers that were on board those ships, and the Lieutenants of them, Mr. Wager has had very foul play, but that will be best known when the Court Martiall meets. The traders that are lately come from Porto Bell, say, that the Spaniards laugh at them and tell them that two of our men of war, one of 60, the other of 50 guns, dare not attack their Vice Admirall of 64 guns, that they only ffired now and then their chase gunns at him, and then sailed ahead of him and gave him their stern gunns, at so far distance as not to do him any damage, and never came up to give him a broadside. This talk is enough to concern any true Englishman. I humbly begg leave to offer one thing as my opinion, that if H.R.H. thought fitt, that a third part of the Courts Martiall held at sea upon such occasions as this, should consist of Lieutenants, it wou'd tend very much to the advantage of H.M. service. As to Monsieur du Cass, I cannot learn from any hand whether he is yet sailed with the fflota and other ships, but it is my opinion he would not stay long after the hearing this news. As to the Spanish ships at Carthagene, I do believe none of them will endeavour to join Monsieur du Cass or stir from thence till further orders from Old Spain, because all the Directors of those affairs were on board the Spanish Admirall that blew up, of which the chief man that was saved was the Admirall's Coxon, and with him only 10 men. As to other particulars, I shall not presume to trouble you with common Reports, since Mr. Wager is now here, who was an eye witness to everything, and has promised to give a very exact relation of it to H.M. and H.R.H. About 3 weeks ago we received advice of 9 ships at Port Rico, supposed to be Spaniards that were expected from Old Spain; upon which Mr. Wager desired me to spare him 50 soldiers to man 3 ships that were then ready for sailing to endeavour to meet with them betwixt the Capes, which were immediatly sent aboard, and the ships sailed the next day. I hope if they meet with them, we shall have a good account of them. In 3 weeks or a month's time we shall have a very good magazine, that is bomb proof finished at Port Royall, which I have been endeavouring to get done ever since my coming into the Country, but could never accomplish it till this year. I have received 20 recruits by this packett-boat, and expect the remainder by the next. I believe H.M. Regiment under my command will then be compleat. I lost 4 or 5 men in the engagement with the galleons, having then on board Mr. Wager's squadron 170 men. As to Mr. Wager, I begg leave to say this of him that I have never known a man more diligent, or more zealous for H.M. service, he being ready on all occasions to advise in every thing that may tend to the welfare of great Britain, and the good of this Island, so that I think it a pleasure to be concerned with him.

P.S. If there can be a method found out to prevent the French trading to Lima, and the South Seas, trade here will soon be in a fflourishing condition. *Signed*, Tho. Handasyd. *Endorsed*, Recd. Sept. 17th, Read Oct. 28, 1708. 4½ *pp.* *Enclosed*,

56. i. List of Patent Offices in Jamaica and salaries in Jamaica mony;—

Attorney Generall: Robt. Hotchkyns £80.

Receiver Generall: Leonard Compere £300, of which the contingent charges amount to at least £160.

Secretary: John Baber £800, contingent charges £200.

Provost Marshall: Richd. Rigby £500, contingent £150. In time of martial law the office has no fees, and is of charge.

Clerk of the Pattents and Register in Chancery: Arthur Wynter £200.

Clerk of the Crown and Peace: Henry Needham £70.

Clerk of the Grand Court: Thomas Cotton £500. Contingencies, £150.

1708.

Navall Office: William Norris £150. *Endorsed as preceding.* 1 *p.*

56. ii. List of the Galleons *etc.* met by Commodore Wager, with 3 men of war and a fireship, between the Brew and Friends Islands, May 28, 1708:—*St. Joseph,* 64 guns, 600 men, Count de Cass Alegre, Admiral. Blew up in the engagement. *St. Joachim,* 64 guns, 500 men, Don Michaell Augustine de Villa Nova, Vice-Admiral. *Sta. Cruz,* 50 guns, 300 men, Count de Bega Florida, Reer-Admiral. Taken by Mr. Wager. Merchant ships: *Le Mieta,* 34 guns, 140 men, Capt. Don Joseph Tanis. 6 more Spanish merchant ships, name and force unknown. One small French merchantman, 24 guns, 200 men. The *Holy Ghost,* a French Privateer of 32 guns and 300 men, ran ashore and burnt. A small Biscayan packet-boat, 12 guns and 150 men. One brigantine. Two sloops. *Same endorsement.* ¾ *p.*

56. iii. Duplicate of June 17, 1708. C.S.P. *No.* 1551.i. [*C.O.* 137, 8. *Nos.* 23, 23.i.-iii.; *and* (*without enclosures*) 138, 12. *pp.* 333-337.]

July 23. Whitehall. **57.** Council of Trade and Plantations to the Earl of Sunderland. *Enclose* copy of Governor Handasyd's letter of May 19 last. [*C.O.* 138, 12. *p.* 299.]

July 23. Whitehall. **58.** Council of Trade and Plantations to Governor Dudley. *Acknowledge letters* of Nov. 10 and Feb. 16, 1707. We are very glad from the account you give us that you have had good success against the Indian Enemy, and are sensible of your care and dilligence, and of the good service you have done, which we shall not be forgetfull of as occasion requires. We are considering your proposall for attacking the French in Canada and Port Royall, and shall lay the same before H.M. for her pleasure thereupon. We are glad to perceive the Government of Rhode Island have been so sensible of their duty as to assist you in your late expedition against the French, and we doubt not but their good correspondence with you will tend to the mutual advantage of both Governments. As for the paper you sent us containing your defence against a complaint presented to H.M. at Windsor, June 23, 1707, the said papers shall be made use of as occasion offers; and if your friend Mr. Chamberlain have not received the like from yourself, we will deliver it to him, keeping a copy for ourselves, and while you act for H.M. service you may depend that we shall doe all that in us lyes to protect you from any unjust complaints against you. We have laid before my Lord Treasurer what you write in relation to the Commissions which limitts the two Officers of the Customs you mention to the Port of Boston, and we doubt not but his Lordship will give the necessary directions therein. Mr. Allen's title to the lands in New Hampshire is now depending before a Committee of H.M. Council,

1708.

and you will in time be informed of what is done. We have nothing to say upon Mr. Usher's account, but that we shall consider the same when referred to us. As for what you write about Mr. Collins' contract with the Navy Board for masts, we have also been informed of that matter by Mr. Bridger, and have examined the same, and been attended by Mr. Collins, who did produce to us H.M. license for cutting of masts, dated May 31, 1707, which having been mislaid was the reason of its not being sent to New England; and has been the occasion of all the disorder that has hapened there, however, we must advise you to give all the assistance you can to Mr. Bridger in preventing waste in the woods. Mr. Collins has promised to send the said license to New England by the first opportunity. Whereas we have been informed that the logging trade and the great number of saw mills in New Hampshire do occasion great waste in the woods, and that Mr. Bridger himself does connive thereat, you are also to take the most effectuall care for preventing this mischief, and to admonish Mr. Bridger thereof, that for the future he do not permit or connive at such practices. Mr. Vaughan has attended us, and produced to us his powers for the Agency of New Hampshire. We shall give him all the assistance we can, in the affair he comes about. We have laid before H.R.H. the Lord High Admirall the account you have given of the good services performed by Captain Stucley. We are now to take notice that in your box which brought your last letter there were severall others not relating to our Board, and which were much more in bulk than what was for us, which is a considerable increase of charge to this office, we must therefore remind you of the letter writt you March 26, 1707, upon that subject, and we expect that for the future all letters adressed to our Board be sent in packets by themselves, and that no letters to other persons be inclosed therein. [*C.O.* 5, 912. *pp.* 481-484.]

July 25.
Windsor.

59. Order of Queen in Council. In pursuance of a report from the Lord High Treasurer, the Council of Trade and Plantations are to dispatch letters to the several Governors in America, directing them to transmit to H.M. Board of Ordnance here, as soon as may be, an account of the remains of all the Ordnance-stores in their respective Governments, and also to send like accounts once a year (and oftner, if it shall be found necessary) to the said Board as abovementioned. *Signed,* William Blathwayt. *Endorsed,* Recd. Read July 30, 1708. 2 *pp.* [*C.O.* 323, 6. *No.* 66; *and* 324, 9. *pp.* 247, 248.]

July 27.

60. Canada Survey'd, or the French Dominions upon the Continent of America briefly considered in their situation, strength, trade and number, more particularly how vastly prejudiciall they are to the British interest, and a method proposed of easily removing them.

It cannot but be wondred att by all thinking men who know

1708.

the valuableness of the Brittish Monarchy in America, both with regard to their power and trade, that a nation so powerfull in shiping, so numerous in subjects, and other ways so wisely jealous of their trade, shou'd so tamely allow such a troublesome neighbour as the French, not only to sitt down peaceably beside them, but with a handfull of people vastly dispersed to possess a country of above 4,000 miles extent, quite encompassing and hemming in betwixt them and the sea, all the Brittish Empire upon the said Continent of America, by which they have already so mightily obstructed the Brittish trade, all America over, and must in time totally ruin the same, unless seasonably prevented, as will appear by the following considerations, (and what renders us intirely inexcusable is, that the half of one year's loss we sustain in trade by them, besides the vast expence both the Crown and Country is att, in maintaining of troops and garrisons upon their frontiers, bribing of the natives for their friendshipps, or indeed, more properly speaking, being tributaries to those inhumane savages for their favour and assistance; the half, I say, of one year's loss we sustain would, if rightly aplyed, wholly dispossess them of the Continent and Newfoundland, and by so doing render H.M. sole and peaceable possessor of all the North Continent of America, large enough to form four kingdoms as bigg as Great Brittain). As to the situation of the country possesst by the French in North America, and commonly all comprehended under the prevailing name of Canada, the seat and residence of their Governor Generall being upon the place properly so called, its situation is from about 54 degrees North Latitude, begining to the Eastward of Port Nelson in the country of the Escimoes, extending itself all the way Southwest to the mouth of the river Missasippi, which falls into the Bay of Appalatchio in the great Bay of Mexico, about the Latitude of 28 degrees and 30 minutes, comprehending as itt goes their part of Newfoundland, the Islands of St. Peter, Accadia or Nova Scotia, which borders upon the Brittish Province of New Hampshire, whose boundaries to the Eastward is the little river St. Croy (as the French alledge), not far to the North East of this, upon the head of the Bay of Fundy, they have a settlement called Port Royall, where is a stone fort pretty strong, garrison'd by 5 regular Companyes, though not exceeding 30 men a company, their cheifest strength consisting in their officers, which are generally double the number of ours, here is also a small town of about 100 familyes, and upon a place call Minas and the Country about there are betwixt 2 and 300 familyes more, being in all able to raise about 400 men, besides some natives who join with them, this is a distinct government of ittself, both the Governor and Lieut. Governor having their Commissions immediately from the French King, yett under the command of the Governor Generall, who resides att Quibeck, the present Governor of Port Royall is M. Supercass, formerly Governour of Placentia, a very brave and experienced officer; the Lieut. Governor M. Bonaventure, formerly a sea officer. Against this place the

Governmt. of New England made two efforts last summer unsuccessfully only through want of Officers and conduct, and now justly fears their returning the blow upon the little Province of New Hampshire, by which they must inevitably ruin the same, and consequently deprive the Crown of Brittain of all the masts, timber and navall stores which itt produces both in perfection and plenty, unless suddenly supported by the Crown, with some regular troops and stores of warr. This country of Accadia is that which was formerly by us called Nova Scotia, sold (as is generally reported) by the Lord Sterling to the French, and extends ittself all the way North East from the river St Croy, in Latitude of 43, to Cape Britton in Latitude of 47, where is the entry to the Gulph of Canada or St Lawrence, so called from the great river of that name, which disembogues itself into itt, and which justly both from its extent and largeness is said to be the greatest in the known world. Upon this river of St. Lawrence or Canada, the French have their chief towns, forts and settlements, in the mouth of which about Latitude of 51, lyes a large Island called Anticosty, about 16 legues in length, where the French in time of peace had some small settlements for the benefitt of fishing and hunting, but now desolate by reason of the warr. This river is about 20 leagues over att the mouth, but so high and mountanous is the country that you can see land distinctly from one side to the other, upon both sides of this river in time of peace were stragling settlements, but now mostly deserted untill you come up as high as Tadousack, which is about 20 leagues below the City of Quibeck. This town, which is the seat of the Governour Generall, Intendant and Bishop, lyes about 120 leagues from the mouth of the river, about Latitude of 47, situate upon a high promontory or neck of land formed by the great river, which runs by the West side of itt, and another river which runs by the East side of itt, and is by them called little river. The Great River, which is fresh for 10 leagues below this town, and navigable for about 60 above itt for vessells of 50 tunns, forms befor this town a sort of a bason, or harbour, though none of the best, because the rapidity of the river as well as the great tide (itt flowing about 7 fathom right up and down), makes the ships ride a great strain, but the water is constantly smooth by reason of the highness of the land on both sides, and the narrowness of the River, itt being scarse haff a mile over att the town, which is divided in two by the names of the Higher and Lower, in the first of these is the Castle or fort, where the Governor resides, being a spacious stone building courtways, affording a great deal of good lodging for him and the severall Officers under him, as allso a large guard Hall for the soldiers and another for the Officers, itt is built upon a precepice att the very point of the land, directly over the River, and so high that the foundation of itt is att least 100 yards above the surface of the water, there are no great gunns within itt, but a little above itt to the right hand, is a Battery of about

1708.

20 gunns, the biggest of them not exceeding a 12 pounder: there is likewayes a little above this, upon the pitch of all the Hill a little stone redoubt with six small gunns, this commands in some measure the passage from the land to the town, being placed in the center of the neck of land, betwixt the two Rivers, they were also, when I was there about two years ago, drawing a stone wall of about 20ft. high, quite across this neck of land, to secure itt upon that side, there are in the upper Town three handsome churches, a noble large seminary of the Jesuits (who are the principall proprietors of that Country) three cloisters of priests, two nunneryes, two hospitalls, the Intendants and Bishops' palaces, which are all very noble buildings. The lower Town is built almost round the foot of the hill on which the upper Town stands, extending from the one River to the other, from itt to the High town is a winding coach-way of a pretty large circumference, and yett very steep, but the foot passage to itt is full as steep as going up any ordinary stairs of a house, in this lower town just opposite to where the ships ride is a stone bastion with six 18 pounders mounted upon itt, and upon the opposite side of the River a little lower upon a small point is a battery of eight 12 pounders, but no redoubt or cover for the men. In the Low town is one Church and a great many good stone buildings. In both the towns will be about 300 dwelling houses, and they can raise about the same number of fighting men besides souldiers, of which there are not ordinarly above three Companyes, who seldom exceed 30 men a Company, about a league below this town lyes the Isle of Orleans, being about 7 leagues in length, and in most places not above two miles broad, the river is navigable on both sides of itt, but the main Channell is on the west side of itt which is generally about a mile broad, but upon the other side mostly not above a quarter of a mile, this Island is very well peopled, having 3 parish Churches upon itt, and near 300 familyes upon itt, upon both sides of the River opposite to this Island the country is well planted with people, who may in all amount to 200 familyes more. So that I believe for about 20 miles round Quibeck may be about 800 familyes who could not raise above so many fighting men. The Governor Generall is Governor of Quibeck in particular, the present is the Marquis de Vauderoile, and the Lieut. Governour M. Anglosery, both these have serv'd in the Country above 20 years, and have raised themselves by their services. About 30 leagues South-west from this, upon the same river, lyes a small fortifyed town called, from the confluence of three Rivers, Trois Rivieres, itt is only pallisadoed round, having nothing of a fort in itt, only lodgings for the Governor and Officers, and hath not above 50 familyes in itt besides soldiers, itt hath a particular Governor of its own, who is att present an Italian, called the Marquiss de Crisafi, in this town lyes ordinarly six of their companyes of Foot. About 30 leagues above this, and 60 from Quibeck, upon the same river, lyes the City of Montreall, upon an Island of the same

name, about 5 leagues in length, this Town is equall in bigness and number of inhabitants to Quibeck, but not altogether so well built, nor so rich as the other, hither the tide flows, and barques of 50 or 60 tuns can come up, this town is pallisadoed round, lying pretty levell, and hath 3 or 4 block houses att itts severall corners, itt hath three Churches, as many convents and a hospitall, itt is the next best Government to that of Governour Generall, upon whose death the Governour of this place generally succeeds a course, the present Governour is M. Du Ramsey, the Lieut. Governour M. Gallifait, and town Major M. du Muy. There are some small towns besides, such as Shambly and Sorrel, where sometimes a Company or two lyes, as also severall little forts, commanded by Captains and Subalterns, such as Fort Frontinack, built upon the side of Corlar's Lake, to curb the trade of the English from Albany and the five Nations of Indians in league with them, there are also to the Westward severall little forts in the way to Missasippi, such as Fort Crevecour, and Fort Louis in the Straits, where are a few french and Indians placed for the conveniency of their trade, and to give them a title to the country, through which every year there goes one Officer of note with about 40 men to view the condition both of their trade and garrisons, all the way to Missasippi, which is likewayes subject to the Governour Generall, the present Governour of which is the Sieur Deberville, a Canadian born, and brother to the commander of that name who plundered Nevis in the west Indies. The whole number of regular troops the french have in all the above mention'd countryes is 28 Companyes, who were not two years agoe above 30 a Company, and are generally posted as follows; at Placentia in Newfoundland 3 Companyes, commanded for the time after the removall of M. Supercass by M. Moniack, att a new little fort in Charles Straits, or Labeadore, called fort Pontchartrein, commanded by M. Certomanche, one Company, att Port Royall 5 Companyes, att Quibeck 3 Companyes, att Trois Rivieres 6 Companyes, att the Citty of Montreal 7 Companyes, the other 3 are generally in some of the forts upon the frontiers of Albany, and the 5 Nations in league with us, the immediate Commander or General of all those troops under the Governour Generall, and to whom they give the title of Commandant de Troupes, is the Marqui de St. Croy. Having given a pretty exact account of the situation, strength and number of all the chief places in this country, the number and disposition of their regular troops, with the names of their chief Officers, the whole number of which will not amount to above 5000 inhabitants, dispersed almost as many thousand miles, itt may be easily believed itt cannot be very difficult to reduce such a country, especially since we have above 20 times their number upon the same Continent, but ere we think of reducing them, lett us first see what their country produces by way of encouragemt., and next, what damage they now doe the Brittish trade all America over, but more immediately upon the Continent, and what further they must neces-

1708

sarly doe in time, when more populous, if not prevented. As to their trade, which chiefly consists in furrs and fish, of both wch. they have but to great a quantity, in so much, that had they but hands to manage the same they would quickly glutt all Europe with both, as they have in some measure done with the first, for two years agoe I see, according to their computation, above £60,000 value in beaver alone, besides all other furrs and peltry, of which their magazines were full, and which were not to be sent home att that time, because the European marketts were then glutted with them. And as to the ordinary sorts of fish, such as codd, heak, pallock and haddock, every bay and creek along all their coasts abound with them farr beyond the Bancks of Newfoundland, as they doe also with herring and mackerell, but above all for whale fishing their coast excells all places ever yett heard of. They have also particular to that great river of St. Lawrence a fish they call a white porpoise in infinite numbers, which hath afforded them a new and advantageous manufactory, for besides the vast profitt the oyle of them affords, they have found a way to tann their skinns, of which they make the finest upper leather for shooes imaginable, far excelling any marokin, as I have found by experience, having worn shooes made of them, which never grow hard with being wett. The french King hath given a considerable sume for the advancing of this manufactory, which is not to be done anywhere but in such a country as that, for no bark save that of Cyrus will tann their skinns. The soil here is also very fertile, as well appears by the grains itt produces, not only in vast quantityes but the best of itts kind upon the whole Continent, especially wheat and pease of all sorts, and that in so short a time, notwithstanding the coldness of their winters, for though they doe not sow their wheat till May, they reap itt in great perfection in the beginning of August. But now that we have sufficiently surveyed the country, lett us only consider how infinitely more agreeable this climate would be to our Northern constitution then Darien, what a vast revenue the furr trade would bring into the Crown, having all the Nations of Indians upon the North Continent, who make so vast a body of people, intirely att our devotion. How vast an improvement of shipping and Navall Stores could be made here, where the timber of all sorts is the best upon the whole Continent, and the fishing there of all sorts would exceed all the others in the world. But having said enough to show the country is both commodious and advantageous enough to be inhabited, lett us next consider some more pungent and powerfull arguments, which must prevail upon every true Brittain, who hath any regard to the honour, interest or safety of his Country, to endeavour the reduction of that country, att any rate, and those arguments arising so naturally from two of the first and great principles, which are born almost with all mankind, will need but very little enforcing, and are these, self-interest and self-preservation, both which to a demonstration plead for the reduction of this place, *etc.* For consider

1708.

how much that Colony endammages the Brittish interest over all America, as well as upon the Continent. In order to which, we must first consider ye complexness of their commerce, and how much the disturbance of the trade of the Continent affects all the Brittish Colonyes in America, which will easily appear by considering their dependance upon the same, as in the following particulars. There is no Island the Brittish possess in the West Indies that is capable of subsisting without the assistance of the Continent, for to them we transport their bread, drink and almost all the necessaryes of humane life, their cattle and horses for cultivating their plantations, lumber and staves of all sorts to make casks of for their rumm, sugar and molosses, without which they could have none, ships to transport their goods to the European marketts, nay, in short, the very houses they inhabitt are carryed over in frames, together with the shingles that cover them, in so much that their very being, much more well being, depends almost intirely upon the Continent. And now that we have made itt evidently appear that the interest of the whole British Empire in America, is inseparably linkt with that of the Continent, itt remains next to consider how much damage the Colony yearly doe the said Brittish Continent, in ruining and obstructing their trade, the expence they occasion the same by the warr, besides the loss of people, every one of whom are vastly valuable, in so new and trading Colonyes. To make this more evidently appear, lett us consider the particular Governments which suffer mostly by them (though indeed all the Brittish Continent doe considerably already, and are ere long like to doe more), but to come to particulars, New York and the Jerseyes have of late, by means of the french seducing over to them a great part of the five Nations (who have so long been in league with the Crown of Brittain), and are known by the names of Senecas, Makuas, Onondagos, Cajugas and Oneidas, the french Missionaryes, who swarm among them, have carryed over, both to the French interest and religion, a great many of them, and with them the furr trade, which was formerly so valuable and profitable to those Colonyes of the Brittish, that merchants now in London, who lived there 20 years agoe, say there used to be exported from thence yearly about £50,000 value in beaver and other furrs, this they have not only almost intirely lost, but are att a vast expence, both of blood and treasure, to defend their frontiers from the insults of those troublesome neighbours, so that the expence the Crown and Country is att yearly in maintaining of troops and garrisons, as well regular as Country militia, the presents and charges of cultivating a friendshipp with the above named five Nations, building and repairing fortifications, and furnishing stores of warr, amounts yearly to above £20,000, besides the vast loss the inhabitants sustain, who have any settlements upon the frontiers, being obliged wholly to abandon the same, and leave them desolute and uninhabited, and what further yett affects the trade (besides the raising the price of all provisions, by the desertion of many of the most fertile plantations) the pressing of men to serve on the frontiers renders all labour so much the dearer, especially sailors, in-somuch that the wages of an ordinary sailor to goe to the West Indies in any of the mercht. shipps is att least £4 10s. or £5 per month, all which att last must in some measure come upon the purchasers of their goods in the West Indies. So that I think I will undertake to demonstrate that the Colonyes of New York and Jerseys suffer yearly, what with the loss of trade, expences of the warr, desertion of plantations, scarcity of labourers and sailors, all which is alenerly [? *annually*] occasioned by the French att least £50,000. Next to them along shoar, North East, is Connecticout, a Propriety Government, which also borders with the french, and feels sufficiently the effects of their ill neighbourhood, in so much, that the very expences they are att yearly, for the payment of their men, whom they are obliged to keep in arms upon their frontiers, cost them £7,000, while the loss they sustained in their trade, by the want of those people's labour, amounted to three times that sume, they being obliged, not only to lay waste and leave uncultivated a great many of their frontier plantations, but to neglect their making of pitch, tarr, rosin and turpentine, which that Country produces in great quantity, and which are so much the interest of the Crown to encourage, as appears by the Act of Parliament for that effect. So that itt can easily be made appear that this small Propriety Country, by a modest computation, suffers yearly in expence and obstruction of trade, the loss of att least £20,000, besides their losses occasion'd by the coasting privateers from Port Royall and Quibeck. But to give the finishing stroke to all, and shew unanswerable arguments for reducing Canada at any rate, lett us only consider New England, a country of att least ten times the trade of all forementioned Colonyes, and whose loss doe more then exceed their proportion to the same. New England is so well situate for trade, both with respect to the conveniency of its harbours, the commodityes itt affords for commerce, the healthyness of the climate, which with the genius of the people calculate to improve all those advantages, have rendred itt a place of vast trade and buisiness, for besides that the inland country affords great quantityes of all sorts of provisions, horses, cattell, and lumber, fitt to be transported to the West Indies and elsewhere, the maritime parts affords an immense quantity of timber fitt for shipping, masts and all navall stores, which they have not fail'd to improve to the best advantage, for they yearly build some hundreds of vessells, while their sea costs, which are wonderfully rich in fish of all sorts, affords them advantageous cargos to load them withall. But of late years, the disturbance they have mett withal, in every part of their commerce, from their troublesome neighbours the french, hath been of so fatall consequence, that itt hath almost intirely ruined that Country, and must ere long inevitably doe so, if some remydy be not quickly afforded them. For besides the ravaging the frontiers, burning their uttermost towns and settlements, murdering and carrying away captives ye inhabitants by the french, and their unexpressably savage accomplices, the Indians, who have no compassion on either sex or age, nor are they bounded by any laws of reason or religion, but do exercise all manner of barbarityes upon their prisoners of all sorts, long after quarter is given, those unparalelled hostilityes not only lay waste the uttermost parts of this country, but occasion a constant expence and trouble of keeping a considerable force upon the frontiers, who, after all, are not able to prevent frequent irruptions of the barbarous enemy, who are favoured in their enterprises by the thickness and impassableness of the woods, with which they are well accustomed. These and the like reasons have rendred uninhabited one of the best and most fertile countryes upon all the Continent, commonly called the Eastern Country, from its situation with regard to Boston, where formerly the English had both garrisons and very thriving plantations, but by the disturbance they mett withall from their neighbours, the french att Port Royall, they have been forced at last totally abandon the same. And though the loss of the country and its produce was very considerable, yett was the smallest part that attended the deserting of that country, for by itt they have not only lost a verry considerable furr trade, which was caryed on in that Country while the English possest itt, which is now wholly gone over to the french, but what was yett of more consequence by farr, and was justly reckoned the chief branch of the New England trade, their fishery is quite ruined by itt, for whereas they had many hundreds of vessells, who formerly both catched and made their fish along this shore, they are now, by the french (and Indians instigated by them) almost wholly debared this trade, to the unexpressible loss of New England in particular, and all the English Islands in generall, who used to be supplyed from thence with codd and mackrell, in great quantityes, and att low rates for the subsistance of themselves and slaves, the considerations of all those hardships they lay under made that Governmt. undertake two expeditions last summer against Port Royall, which both proved unsuccessfull for want of Officers of conduct and some regular troops, and cost the country £20,000 expence, besides double that loss in a total sist of trade for the time, and now the french, as I am credibly inform'd, having gott a reinforcement from france, both of men and ammunition, resolve to return the blow upon the little province of Main, which they are no ways capacitate to resist, and which, being the magazine from whence the Crown hath masts, timber and other navall stores, will make the loss generall to Brittain, as well as particular to that place. But to sume up the whole, I believe itt will plainly appear to any considering person, that the loss, expence and detriment in trade, (besides the barbarous murthers of many persons) sustain'd by the English upon the Continent in America from the french who inhabitt the same Continent, amounts to severall hundred thousand pounds yearly, and must in time, as the french grow

1708.

more numerous, be vastly more, for by their situation, the french have sourrounded and hemmed in betwixt them and the sea, all the English Governments upon the Continent, so that in time, when they are fully peopled, as they project in a great measure to be, after the warr is over, by transporting thither (as Monsieur Rodot, the present Intendant of Canada, told me the french King designed), 20,000 men, who will chuse rather to gain their bread by hunting and gunning, then by labouring the ground. Should such a thing happen, they may easily in time be able to make the Brittish find use for their shipping and be forced to transport themselves elsewhere and leave their improvements to their more powerfull neighbours, and though this should never happen, yett posterity will blame us for risking the same while the remedy is so easily in our power, and the expence will not amount to near one half of the yearly loss we sustain from them, as will appear by the following scheame, which the author, who pretends to know that country as well as any subject of the Crown, and who made itt his buisiness to know, with that designe of being capable to serve his country, engages to give his assistance in putting the design in execution. To effectuate which great enterprise (so vastly advantageous to the honour and interest of the Crown and the people of great Brittain and itts Empire in the west Indies and North America), there would need no more than two battallions of regular Troops from Great Brittain, who would cost the Crown no more expence, excepting their provision and transportation, then they now doe in Scotland, where they are idle, nor more men of warr for their convoy and protection than are ordinarly employed in attending the Colonyes of New York, New England, or conveying home the Virginia fleets, which they might likeways doe in the fall after that expedition was over. With those two battalions and six men of warr joyned from New England with 1000 of their best men, which they will readily furnish and transport by sea to goe directly to Quibeck about the latter end of May, or beginning of June, fitted with bombs, mortars and one or two bomb ketches, while a body of 1500 men from Nework, Jersey and Connecticout, which they would readily furnish, marched by land being joyn'd by our five Nations of Indians directly to Montreal, with which number they would hardly fail of takeing that place, and att least preventing their regular troops, who are mostly quartered thereabouts, from coming to the assistance of Quibeck, which, by cutting off the inhabitants of the Isle of Orleans from joyning them, which might be done by sending two nimble, well mann'd sloops up thither before the fleet came in sight, and as itt is almost humanely impossible the town could hold out, being attacqued att three different places att once upon the side to the water, where itt hath no walls, and could not have any great number to defend itt, while the fireing their houses by the bombs would employ many of them to quench itt, upon taking of which two towns of Quibeck and Montreal, all the rest of their forts and settlemts. would fall of course into the hands

1708.

of the Crown, and will not only afford a booty to the captors farr exceeding all the expence of the undertaking, but infinitely advance the commerce of the Brittish over all America, and particularly make them sole masters of the furr, fish and navall stores trade over all the Continent, and H.M. sole Soveraign of the North Continent of America, and of hundreds of nations of new subjects, who will become intirely obedient to her laws, when they have no preists to poyson them, nor no rivall Monarch to debauch them from her interest and make Canada a noble Colony, exactly calculate for the constitutions and genius of the most Northern of the North Brittains. Being therefore fully perswaded that nothing but the want of a trew state and information of the vast disadvantages the french Governmt. of Canada occasions to the commerce of Brittain, and the easiness of its being reduced to the subjection of that Crown, hath been the reason why our Ministers of State, who have so wisely and successfully manag'd the great affairs of the Nation, have never put this project in execution, I doubt not but upon their having maturely considered the above reasons, they will fall upon such methods as their greater wisdom shall think fitt for remeding all the aforesaid grievances occasioned by the said Colony of french, towards which the author shall be alwayes most ready to contribute what further information and assistance he is capable of, then whom none is a more intirely devoted servant to the Crown and interest of great Brittain. [*? by Capt. Vetch. cf. Aug.* 4. *Ed.*] *Endorsed*, Recd. from Capt. Vetch, Read July 27, 1708. 11½ *pp.*

Annexed,

60. i. Abstract of preceding, 1¾ *pp.* [*C.O.* 323, 6. *Nos.* 64, 64.i.; *and* (*duplicate*) *Nos.* 65, 65.i.; *and* 324, 9. *pp.* 221-246.]

July 27. Treasury Chambers. **61**. Mr. Taylour to Mr. Popple. *Enclose following.* My Lord Treasurer desires the opinion of the Council of Trade and Plantations, whether they think it necessary to have this office and salary continued. *Signed*, Jo. Taylour. *Endorsed*, Recd. Read July 30, 1708. *Addressed.* ½ *p.*

Enclosed,

61. i. John Rayner to the Lord High Treasurer. Prays to be allowed £150 per annum as Attorney General of New Yorke and £75 advanced for his voyage, as in the case of S. Broughton. 1 *p.* [*C.O.* 5, 1049. *Nos.* 88, 88.i.; *and* 5, 1121. *pp.* 312-314.]

[July 29.] **62**. List of fishing-boats and seamen sailed from Chichester to the Newfoundland Fishery, Midsummer 1707-1708. *Nil. Signed*, Hen. Baker, Collector *etc.* *Endorsed*, Recd. Sept. 29, Read Aug. 4, 1708. 1 *p.* [*C.O.* 194, 4. *No.* 74.]

July 29. Whitehall. **63**. The Earl of Sunderland to Governor Crowe. I write this at the desire of Mr. Robert Harmsworth, the last patentee in the office of Clerk of the Markets in Barbadoes, who has

1708.

some moneys arising out of the profits of his place lying in the hands of Mr. Raynes Bate, which you make some difficulty of suffering Mr. Bate to remitt to him, not being well satisfyed, it seems, of his having such a patent. I can assure you that he had it and about Feb. last resigned it to Mr. Meckaskell, *etc.* *Signed,* Sunderland. [*C.O.* 5, 210. *p.* 111.]

July 29. Whitehall. **64.** Same to Governor Lord Lovelace. *Encloses* Address of Lt. Governor and Council of New Jersey, complaining of the proceedings of the General Assembly there. It is H.M. pleasure that upon your arrival there you enquire into the matter of fact and send me an account thereof as it shall appear to you, that I may lay the same before the Queen. [*C.O.* 5, 210. *p.* 112.]

July 29. Whitehall. **65.** The Earl of Sunderland to the Council of Trade and Plantations. Encloses following for their report. *Signed,* Sunderland. *Endorsed,* Recd. July 29., Read Aug. 3, 1708. ¾ *p.* *Enclosed,*

65. i. Copy of Memorial of Geo. Vaughan, June 1, 1708, *q.v.*

65. ii. Address of Council and Assembly of New Hampshire to the Queen, Portsmouth, N.E. Oct. 22, 1707. Notwithstanding his late Majestie was gratiously pleased to send a supply of artillery and ammunition for your Majesties Fort at Great Island, since which the great expence of rebuilding said Fort, and constant keeping of men in pay for the better defence of this your Majesties province towards the sea; together with the extraordinary charge of defending the frontiers by land against the Indian Rebels, assisted by the French from Canada and Port Royal, has reduced your Majesties poor subjects to a great distresse, many of whome have been necessitated to remove, by which our number and strength are lessend, cannott provide for their families, but with hazard of their lifes, many ffeilds lying untild, unlesse such as are under covert of the Garrisons. At present wee labour under a great want of good small armes and ammunition, which are daily waisted and lost in the wildernesse, in persuite of the Enemy. And by reason of our poverty cannot be supplyed. Your Majesties petitioners therefor most humbly pray of your most Excellent Majestie, that of your Majesties Royal bounty they may be supplyed with such a quantity of small arms of several sorts, and ammunition proper for them, as well as for the great Ordinance at your Majesties Fort, which will at all times be thriftily expended for the defence of your Majestie's good subjects *etc.* *Signed,* Charles Story, Secretary, John Pickerin, Speaker. *Endorsed,* Recd. July 29, Read Aug. 3, 17, 1708. 1 *p.*

65. iii. Address of the Assembly of New Hampshire to the Queen. [Portsmouth, Feb. [ ], 1707.] Our Ancestors and Predecessors weare eighty years past comeing over

from England, and issueing out from the neighbouring Colonies, and by and with their concurrence and encouragement peaceably and in a publick manner, entred and sett downe upon the now inhabited lands of this Province, and which were not onely then *Vacuum domicilium,* but a miserable desert and surrounded with the barbarous salvages, from whose Sachims our Ancestors all along informed and assured us the said lands were honestly and justly purchased for their use. Wee and our Ancestors through the great mercy of Almighty God, by the expence of our Treasure and the swett of our brows, have now turned this wildernesse into a fruitful feild. Wee have with the expence of our lifes and estates defended this your Majesties Province in New England in two long and distressing warrs, against the barbarous salvages assisted by the French King's subjects, and which wee are yett engaged in, and must have suffered very much were wee not encouraged and protected by the great and constant care and vigilance of his Excellency our Governor and the assistance of his other Government both as to men and mony. By the deligent industry and expence of your Majesties loyal subjects, wee have soe improved this your Majesties Countrey that the trade thereof is become very considerable and of great importance and advantage to your Majestie and your people of Great Brittaine. All this has been done without the least aid or assistance imaginable of Mr. Mason, or those that succeed him in their pretended claime to this Countrey. The possessions and estates of this Province have been bought and sold, and have descended from family to family for now neare 70 years together, and except it be a very few of the inhabitants, is all they have in the world. Notwithstanding [ ] the Governour's interposition, who endeavoured to [ ] the differences [ ] from any difference of our own right, wee made overtures to an Agreement, but Mr. [*Allen's*] death prevented any further proceedings therein. If your Majesties most loyal subjects of this your Majesties Province may by your Majesties Royal favour be confirmed and encouraged in the possession and enjoyment of what they have acquired soe just a right to, and may yett be protected and defended from the unreasonable and unjust [*cla*]ime and demand of Mr. Allen, which they confidently promise themselves, from the late instance of your Majesties great justice done them in the same case, when Mr. Allen appealed from a judgment of your Superiour Court here to your Majestie in Council, where judgment was affirmed in favour of the inhabitants, and hereby your sacred Majestie will not onely have the grateful acknowledgment of your Majesties most loyal and dutiful subjects, in this your Majesties Province, but your Majestie and your people in all places will reap the benefitt and advantage thereof in the increase of the Trade of this Countrey by a greater supply of your Majesties Navy. *Pray for the consideration of their case, etc. Signed and endorsed as preceding. Torn.* 1 *p.*

65. iv. Address of the Council and Assembly of New Hampshire to the Queen, Portsmouth, N.E. Oct. 22, 1707. Since our late Addresse, wee are surprised with advise from England that several disaffected persons, have petitioned your Majestie for the remove of Colonel Dudley, our present Governour, for male-administration, which wee are well assured was done out of a perticuler pique by the principal of the said petitioners, who drew in others to subscribe that knew nothing of Col. Dudley, nor had any ffamilies or concerns in New England. And wee admire the more thereat, for that your Majestie had then received an Addresse from the Council and Assembly of this Province, humbly representing the great care and good conduct of Col. Dudley in the Government thereof both as to the warr as well as Civil administration. And wee are humbly bold to lett your Majestie know that wee are still of the same opinion, haveing daily instances of his indefatigable paines for the defence of the ffrontiers against the French and Indian enemy, who by his prudent fforesight and good intelligence which he has alwayes gained of the enemies motion, and where they designed to make an attack, has sent seasonable releife soe as that their designes have been totally defeated, and your Majestie's good subjects and their estates thereby preserved. Wee therefore most humbly pray that the malitious insinuations of a few male-contents may have noe impression upon your Majestie to the prejudice of Col. Dudley, but that if it consists with your Majestie's good pleasure, he may still be continued in his Government. Whereby wee firmly beleive your Majestie's Honour, the interest of the Crown, and the welfare and prosperity of your good subjects here will be better promoted than by another person not soe well acquainted with the affaires of this Countrey. Wee render our most sincere thanks to Almighty God for the successes of your Majesties victorious armes, and the happy Union of your Majesties Kingdome of great Brittaine, which will for ever advance your Majestie's Glory and tend to the ruine of the Enemy of the repose of Europe. *Signed and endorsed as preceding.* 1 *p.*

65. v. Address from the Justices, Officers of the Militia, Merchants, *etc.* of New Hampshire to H.M. *Similar to preceding, in favour of Governor Dudley. Signed,* Jnc. Walker, Clement Hughes, Jno. Cutts, R. Wibird,

Samll. Allcock, John Janurirde, B. Gambling, Jonathan Thing, Jacob Green, Geo. Jaffrey, Obediah Mors, Richard Gerrish, Sampson Sheafe, Joseph Smith, John Knight, Winthrop Hilton, John Gillman, Robert Coffin, Jno. Low, Samll. Hartt, Moses Leavitt, David Levans, Thomas Wilson, Isaac Green, Joshua Winget, Thomas Tebbetts, Shed. Walton, Nath. Hill, Josh. Peirce, Tobias Langdon, John Sherburn, James Gillman, Henry Gillman, Richd. Waldron, Geo. Vaughan, Thomas Phipps, Ichabod Plaisted, Theo. Atkinson, Theophilus Dudley, Samuel Calcot, sen., Jno. Tuttle. *Endorsed as preceding.* 1 *p.*

65. vi. Address of the Ministers of New Hampshire to the Queen. *As preceding, in favour of Governor Dudley. Signed,* Jno. Cotton, Minister of Hampton; Nathl. Rogers, Portsmouth; John Pike, Dover; John Buss, Oyster River; John Emerson, Newcastle; Theophilus Cotton, Minister of the Isles; John Odlin, Exeter. *Same endorsement.* 1 *p.* [*C.O.* 5, 864. *Nos.* 235, 235. i—vi; *and* (*without enclosures*) 5, 913. *p.* 1.]

July 30. Whitehall. **66.** W. Popple to W. Lowndes. *Reply to Mr. Taylour's letter, July* 27. *Quotes* Representation and Order of Council Dec. 14, 1699 [C.S.P. 1699. *Nos.* 1061, 1062]. The Council of Trade and Plantations are of opinion that all the reasons mentioned in the said Representation for an Attorney General for New Yorke (except that relating to pirates) do still subsist, and particularly that of illegall trade; and therefore they cannot but think it necessary the said office and salary be continued. [*C.O* 5, 1121. *pp.* 315, 316].

July 30. Whitehall. **67.** Council of Trade and Plantations to the Earl of Sunderland. Enclose following for H.M. signature (*Cf* June 26, 1708).

67. i. Additional Instruction to Governor Handasyd. Whereas diverse merchants and planters, traders to and inhabitants of Our Island of Jamaica, in behalf of themselvs and others Our subjects in Our said Island, have made complaint to Us of severall unjust and vexatious proceedings obtained there, and that several writs of escheat have issued out of Our Supream Court of Judicature in Our said Island, for trying the complainants' title to their lands and negroes, notwithstanding they have held and enjoyed the same many years, and that when judgment was given for Us upon such writts, the said lands and negroes have been granted by you, Our Governor, to the Prosecutors and Informers, and whereas such proceedings is contrary to Our former Instruction to you, *etc.* (*quoted*), and whereas your breach thereof does give incouragement to groundless and vexatious suits against our subjects in Our said Island, on account of escheats or forfeitures, to the disquieting

1708.

the minds of Our said subjects, a due protection and enjoyment of whose property is necessary to the well carrying on the trade of that Our Island so beneficial to this Our Kingdome. It is therefore Our will and pleasure, that you do not molest the complainants or any other Our subject in Our said Island, on account of escheats or forfeitures of lands or negroes, without good and sufficient grounds for your so doing; and that whenever any lands or negroes shall be adjudged escheat or forfeit to Us, you do under pain of our highest displeasure, strictly observe Our foresaid Instruction to you in that behalf, in forbearing to make any grant of such escheat or forfeiture to any person or persons whatsoever till you shall have given Us an account of all escheats or forfeitures so adjudged, by the first opportunity that shall offer, after such judgement given, and that you shall have received Our Royall pleasure. [*C.O.* 138, 12. *pp.* 302-305].

Aug. 2. Jamaica. **68.** Governor Handasyd to the Council of Trade and Plantations. I am now favoured with your Lordships' of Aprill 15, the duplicate of which I received by the last packett. I gave a short account in my last of the misbehaviour of the two Captains of the men of war that were with Mr. Wager when he engaged the Galleons, since which they have been brought to a triall and are broke, which in my opinion is a very favourable sentence; but what the evidences made out against them I am a stranger to, any otherwise than by common vogue. I am informed that Monsr. Du Cass sailed from the Havanna July 4 or 5, with the fflota and merchant ships richly laden, under convoy of 9 men of war, which are but indifferently man'd, consisting in all of 50 sail; I hope our British ffleet will meet with them before they get to their designed port. The Vice-Admirall of Galleons, and the Spanish merchant ships are still at Carthagene, and, 'tis said, will not sail this year. Some trading sloops came from the Spanish coast 5 or 6 days ago; and there are now going out to Porto Bell 10 or 12 sloops under convoy of 2 men of warr, with the manufactures of great Britain, and the prize goods lately brought in here. Our men of war, which I gave your Lops. an account of in my last, were sent to Porto Rico, in hopes to intercept some Spanish and French ships that were arrived there from France and Old Spain, are returned without meeting with them, they being gone before so far to Leeward, that they were out of their reach. I am very uneasy to think of the misfortunes that will attend our men of war here, if there is not care taken to send supplys of men, since the last Act of Parliament has deprived them of all other means of having any here. They want now 300 men, and every day men are dying, besides other accidents that happen, as desertion. All the help I am able to give them is to spare them men out of H.M. Regiment under my command, which I shall constantly do as long as I have a man, since it is still for the good of H.M. service, and I hope your Lops. will approve of it.

P.S. This should have been sent by the *Dunkirk's* prize but she did not sail, as was expected. *Signed,* Tho. Handasyd. *Endorsed,* Recd. 18th, Read 19th April, 1709. *Holograph.* 2 *pp.* [*C.O.* 137, 8. *No.* 37; *and* 138, 12. *pp.* 391-393].

Aug. 2. London. **69.** Mr. Dummer to Mr. Popple. Gives sailings of the Antego packet-boat, 120 days out and home. Account of Commodore Wager's engagement, May 28. It began a litle before sunsett. An hour after, the Spanish Admirall, *El Conde de Cassa,* Allegra, Commander blew up, and but 10 or 12 men saved; the Rear Admirall was taken by the Commodore, being a ship of 54 brass gunns, very richly laden. Sunday, May 30th, ye Vice-Admirall was chased among the rocks of Cartagena. June 5th one of the capitall galleons was put on shoar on the litle brow on the coast, and was fired by the Spanyards. There are very great complaints against privateering on the coast, which will infallibly destroy all our correspondence with the Spanish West Indies. *Signed,* E. Dummer. *Endorsed,* Recd. Read Aug. 3, 1708. 1 *p.* [*C.O.* 323, 6. *No.* 68].

Aug 3. New York. **70.** Mr. Heathcote to the Council of Trade and Plantations. *Refers to* his proposals concerning Naval Stores. What in the first place I aimed at was, to have diverted the Americans from goeing on with their linen and wollen manufactorys, and to have turned their thoughts on such things as might be benefitial to Great Brittan, they are allready so far advanced in their manufactorys that ¾ of ye linen and wollen the[*y*] use, is made amongst em, espetially the courser sort, and if some speedy effectuall ways are not found to putt a stop to it, they will carry it on a great deal further, *etc.* I could have furnished the Crown with all the light friggatts that would have been wanted for this coast and the West Indies, and that without putting the Crown to a new penny charge, *etc. etc.* *Set out,* New York Docs. V. *pp.* 63, 64. *Signed,* Caleb Heathcote *Endorsed,* Recd. 6th., Read 17th Dec., 1708. 2 *pp.* [*C.O.* 5, 1049. *No.* 98; *and* 5, 1121. *pp.* 356, 357].

Aug. 4. Whitehall. **71.** Council of Trade and Plantations to Mr. Secretary Boyle. Capt. Vetch, who has lived many years at New York, and at Boston in New England, and is well acquainted with the settlements and strength of the French on the Northern Continent of America, having delivered in to the Earl of Sunderland, as also to us, a proposal for destroying the French settlements in those parts, which, when done, will be of great benefit to this Kingdom, both in relation to its trade and the security of our Plantations on the Continent, as is fully set forth in the said proposal, we have the same now under consideration, in order to a report to H.M. But the said Vetch having acquainted us that he intends to take the opportunity of the Lord Lovelace's going to New York, to return to his

1708.

family there, unless it be thought necessary that he stay longer in this Kingdom, in order to his better explaining his meaning in the several parts of his proposal, and to his answering any questions or objections that may arise thereupon, we have directed him, in the absence of my Lord Sunderland, to attend you with a copy of his said proposal; and are of opinion that, if the same be approved, it will be necessary the said Vetch do stay here for the purposes aforesaid, and therefore we desire you will receive H.M. pleasure as to his going to New York, *etc. Autograph Signatures.* 2 *pp. Enclosed,*

71. i. Copy of Capt. Vetch's Proposal for driving the French out of Canada. (*Cf.* July 27.) 15½ *pp.* [*C.O.* 5, 1084. *Nos.* 37, 37.i.; *and* (*without enclosure*) 324, 9. *pp.* 249, 250.]

Aug. 4. Bermuda. **72**. Lt. Governor Bennett to the Council of Trade and Plantations. *Acknowledges* letter of March 25, received Aug. 1. I also on July 29 had your Lordps.' of April 30, (being duplicate, the originall not yet come to hand), inclosed by Mr. Jones to his Attorney Mr. Daffey, whom I have told I shall be always ready upon refusall, to advise Mr. Jones his tenants to pay him their rent, and to performe everything required of me by your Lordps.' letter. In it is mentioned that the late Lords Commissioners wrote to me Aug. 30, 1705, incerting that it was reasonable Mr. Jones his deputys here should enjoy one moiety of the fees and perquisites of his places, dureing his absence. Which letter I never recd., perhaps it was inclosed to Capt. Jones to deliver me (he being att that time here) and his reason for not soe doeing might be to carry on the designe of makeing me accomptable for the whole, ffor I have been often told, since he went for England he has said (before his departure) I was £500 in his debt, and doubted not to make me pay it. I hope my packet of Feb. 10, as also the duplicate thereof, *etc.* are arrived. If soe, I doubt not but your Lordps' are convinced both as to my innocency and injurys, and that justice will be done me with reparation for the latter. Col. White and Capt. Tucker sailed from hence in the sloop *Lyon,* Captain Edgley Commander, on June 29, being bound for Bristol. Mr. Castleman, in return to my constant civility to him whilst here, has wrote a most base and reflecting letter, dated in April last, to one Doctor Starr, which he has shown to severall, and amongst the rest to Col. Trimingham, of H.M. Council: the contents of which are (leaving out the scurility), that he intended to exhibite articles against me for detaining his ship, which was the occasion of her being lost, he narrowly escapeing with his life, (and to confirm his mean and ungenerous designes and proceedings) he desires the Doctor and Capt. Nelson to send to him what complaints they have against me, that he may annex them to his, and that what letters they write to be soe worded as proper to lay before the Board. My Lords, I did not stop him nor his ship one moment, nor acted any thing that he seemed to take amiss,

1708.

and the day he sail'd, he came by six in the morning to take his leave, and returned me thanks for my great civilities to him, which again (after being cast away) he acknowledged by his letter dated from Philadelphia, May 17, 1705, a copy of which my brother has, and will be produced when your Lordps. pleases to desire it. What I pray of your Lordps. is, that if Mr. Castleman or any one else should exhibite complaints or articles against me, I may have a copy of them, and if I can't justify myself, I shall willingly submitt to my fate. *Signed*, Ben. Bennett. *Endorsed*, Recd. 14th, Read 17th Dec., 1708. *Holograph*. 3 *pp*. [*C.O.* 37, 8. *No*. 75; *and* 38, 6. *pp*. 438-441.]

Aug. 4. Bermuda.

73. Same to same. The duplicate of your Lordps. of April 15 (the original not yet come to hand) concerning the trade to Africa, I recd. on Aug. 2, and the 3rd being Council day, I had that speedy opportunity of qualifying myself to answer what is required therein:

(1) No negroes, either on the Royal African Company's acct. or separate traders, have been imported into these Islands directly from Africa since June 24, 1698 to Dec. 25, 1707.

(2) About 36 years agoe, a small ship (her name nor Capt's. remembred), went from hence to Callebar on the coast of Guiny, and brought back 125 negroes, near half of whom were disposed off here (but att what prices I cannot learn); the rest were reshipt for Carolina and Virginia. Also abt. 25 years since, another ship went from hence to Callebar, comanded by one Capt. Stone (her name not remembred) and brought back abt. 90 slaves: But most of them was carry'd to North Carolina, Virginia, and places on the Continent, and there disposed off, but att what rates can't be inform'd. And the way this plantation has been supplyed with negroes hath been from Barbados.

(3) Not one vessell is employed to goe from this place to the coast of Africa, either on the Company's acct. or separate trade. I shall carefully observe your Lordps.' commands in transmitting half-yearly accts. of negroes, by whom imported, and att what rates sold, if any vessells arrive here from the coast of Guiny: And as for not haveing given an account according to my Instructions of the number of negroes these Islands are yearly supplyed with, I answer; that since my arrivall, I have not heard of any negroes being imported to be sold; this Country for several years haveing been (by their great increase) over stockt, which has occasioned many of them to be sent to the Southerne plantations, and Northern parts of America, and there disposed of. *Signed*, Ben. Bennett. *Endorsed as preceding*. *Holograph*. 3 *pp*. [*C.O.* 37, 8. *No*. 76; *and* 38, 6. *pp*. 441-443.]

Aug. 4. Bermuda.

74. Lt. Governor Bennett to Mr. Popple. Refers to Castleman etc. as in *No*. 72. *Signed and endorsed as preceding*. *Holograph*. 2 *pp*. [*C.O.* 37, 8. *No*. 77; *and* 38, 6. *p*. 444.]

1708.
Aug. 4.
Bermuda.

75. Lt. Governor Bennett to Mr. Popple. *Refers* to former letters. I have now none to answer. *etc. Signed and endorsed as preceding. Holograph.* 1 *p.* [*C.O.* 37, 8. *No.* 78; *and* 38, 6. *p.* 445.]

Aug 4
Whitehall.

76. Mr. Secretary Boyle to the Council of Trade and Plantations. Encloses following for their report to H.M. *Signed,* H. Boyle. *Endorsed,* Recd. 4th, Read 9th Aug., 1708. 1 *p. Enclosed,*

76. i. Extract of letter from Col. Jones, Antigua, March 9, 170⅞. *q.v.* 1 *p.* [*C.O.* 152, 7. *Nos.* 51, 51.i.; *and* 153, 10. *pp.* 186, 187.]

Aug. 4.
Whitehall.

77. Council of Trade and Plantations to Governors of Plantations. Circular letter requiring annual accounts of Stores of War to be sent in pursuance of Order of July 25, 1708, upon pain of H.M. highest displeasure. [*C.O.* 5, 1362. *pp.* 298-300; *and* 324, 9. *pp.* 250-252; *and* 5, 727. *pp.* 51-53.]

Aug. 4.
Whitehall.

78. Council of Trade and Plantations to Mr. Secretary Boyle. *Communicate* news contained in Governor Handasyd's letter of June 17. 1½ *pp.* [*C.O.* 138, 12. *p.* 312; *and* 318, 3. *No.* 35.]

Aug. 7.
Boston.

79. Governor Dudley to Mr. Popple. *Acknowledges* receipt of letters of May 7, 1707 *etc.* With all solemnity the Union was published at Boston, and a few days after at Portsmouth in New Hampshire, and H.M. commands read in Council, *etc.* It is a very great accident if this letter come safe. *Signed,* J. Dudley. P.S. Here are two ships runners this comes in one and my letters to their Lordships of the same date are in the other that one may arrive, tho I hope for both. *Endorsed,* Recd. Oct. 30, Read Nov. 10, 1708. 2 *pp.* [*C.O.* 5, 865. *No.* 1; *and* 5, 913. *pp.* 24-26.]

Aug. 8.
Windsor.

80. Lord High Admiral to the Queen. Having received very pressing applications from the merchants tradeing to Jamaica, Barbadoes, Leeward Islands, Virginia and Portugal, that a squadron of H.M. ships may be sent into the Soundings for security of their trade from the squadron gone to sea under Monsieur Du Gue, and ten or eleven ships having been appointed to convoy the Queen of Portugal to Lisbon, I humbly propose that the remainder of the 26 ships under the command of Sir George Byng be forthwith ordered into the Soundings, for the security of the Trades coming home, in regard their convoys are very weak, and that the merchant ships expected from Jamaica have no convoy at all. *Signed,* George. 1½ *pp.* [S.P. Naval, 7. *under date.*]

[Aug. 10.]

81. Col. Lloyd to the Council of Trade and Plantations. Since I had the honour to wait on your Lordships last, I recd. a letter from Brigadier Genll. Handasyde, who tells me he has put a stop to the intended escheat of my Negroes, but advises me to take such methods as may prevent any accidents in case of alteration of Governmt. I, and those whose Estate I possesse, have been 37 years in quiet possession, nor doe I yet know any defect in my title; but because there are sometimes extraordinary proceedings in those remote countrys, I humbly desire that your Lordships will represent the matter to H.M., soe as there may be an order to the Governors to doe what my Agents in that country shall desire ad corroborandum titulum as was donne in Mr. Whitchurch his case. *Signed*, Richd. Lloyd. *Endorsed*, Recd. Read Aug. 10, 1708. 1 *p.* [*C.O.* 137, 8. *No.* 15; *and* 138, 12. *p.* 313.]

Aug. 10. Whitehall. **82.** Mr. Secretary Boyle to Governor Lord Lovelace. You are to pass a grant of glebe-land not exceeding 500 acres for the subsistance of Joshua de Kocherthall, *etc.* *Set out*, New York Docs. III. 328. *Signed*, H. Boyle. [*C.O.* 5, 210. *p.* 112.]

Aug. 10. Whitehall. **83.** Council of Trade and Plantations to the Board of Ordnance. *Enclose* copy of account of Stores of War at Barbadoes. *Cf.* May 18, 1708. [*C.O.* 29, 11. *p.* 287.]

Aug. 11. Whitehall. **84.** Mr. Popple to Mr. Solicitor General. The Lords Commissioners of Trade and Plantations having occasion to consult you upon two Acts past in the Leeward Islands, they have commanded me to send you the state of the case as follows, *vizt.*:—The 8th Feb. 170$\frac{3}{4}$, an Act was past by the Generall Assembly of Antego, *for establishing Courts*, etc. The 22nd June, 1705, an Act was past by a General Assembly of all the Leeward Islands at Nevis, whereby the aforesaid Act is enacted to be in force throughout all the said Islands. Dec. 12th, 1705 the forementioned Act past at Antego was repealed by the Queen: that past by the General Assembly of all the Islands at Nevis not being then transmitted over for H.M. pleasure. Upon which they desire your opinion, whether the Queen's repeal of the Antego Act does not supercede and make void the Act past at Nevis; and whether the said Nevis Act does not remain in force till there be a particular and express repeal thereof by the Queen. [*C.O.* 153, 10. *pp.* 188, 189.]

Aug. 11. Whitehall. **85.** Mr. Secretary Boyle to the Council of Trade and Plantations. *Reply* to Aug. 4. H.M. is not duly informed whether Capt. Vetch's proposal be of such use as to deserve incouragement. You are to report your opinion, in order to H.M. declaring her further pleasure, *etc.* *Signed*, H. Boyle. *Endorsed*, Recd. 11th, Read 13th Aug. 1708. 1 *p.* [*C.O.* 323, 6. *No.* 69; *and* 324, 9. *p.* 253.]

Aug. 11. Whitehall. **86.** Mr. Popple to Mr. Burchett. *Encloses* copies of affidavits relating to Capt. Fane, to be laid before H.R.H., the Lord High Admiral. *See* May 18, 1708. [*C.O.* 29, 11. *p.* 288.]

1708.
Aug. 13.
Whitehall.

87. Council of Trade and Plantations to Governor Handasyd. *Acknowledge* letters of May 19 and June 17. The information we had in relation to the privateers who had committed irregularities on the Spanish coast was not from Commodore Kerr, and besides you might have perceived by what we writ July 31, 1707, that it was not a report lightly taken up, for we told you that we had it from very good hands. We are not a little surprized at what you write about transmitting the Minutes of the Assembly according to H.M. Instructions, all H.M former Governors of Jamaica, as well as those of the other Plantations, constantly doing it. But seeing you find such difficulty in complying with that part of H.M. commands, we think it needfull that you inform yourself of the grounds and reasons why a thing, designed only for the good and benefit of the Island, should meet with any obstruction or opposition, and if you find that no reason is offer'd against it, and that it appears only to be humour and obstinacy, you are to return to us the names of such obstinate opposers, and in the meantime you are to take notice and to acquaint whomever it may concern, that H.M. does require and expect that her orders in this particular shall be punctualy complyed with. As for prizes you will see by ye Act *for the encouragement of the trade to America*, that that matter is now otherwise regulated; however, it will be necessary that when any prizes are taken, either by H.M. ships of war or by the Jamaica privateers, that you give us as particular an account thereof as may be for H.M. information. And upon this occasion we cannot but rejoice with you for Commodore Wagger's good success. And we doubt not from the good character we have of him but he will be able to give a good account of the ships that are in the Havana with Mr. du Casse. We are very sorry to perceive the Spanish trade is so dull but if care be taken that the privateers be kept within just bounds, as is provided by the last mentioned Act, we doubt not but that trade will increase and flourish again. We expect the account of the Pattent Officers you promise. As to the copy of the Proclamation which you have sent us, we can by no means approve thereof, for in one place it is said, "and as an encouragement to all such as shall discover any such lands so held upon orders or otherwise without patent as aforesaid, whereof the possessor or proprietor shall neglect our bounty hereby offered; we do hereby promise that we will grant such patents of land so conceal'd to such discoverer" etc., which is contrary to H.M. Instructions, for by the said Instructions you are not to make grants of forfeited lands or escheats, till H.M. pleasure be known therein. As you will perceive by H.M. Order in Councill of May 26. And you will more particularly understand H.M. pleasure in these matters when you shall receive an additional Instruction, now lying before H.M. for her Royall signature, upon the Petition of divers merchants in relation to your proceedings against their lands and negroes. We writ you at large in our forementioned letter of June 25 in relation to the Members of

1708.

the Councill, being Factors to the African Company, whereto we now refer you. We also acquainted you in our foresaid letter, that H.M. had been pleased to appoint Mr. Peck of the Councill in the room of Col. Sadler deceased, and therefore when Col. Low and Col. Long shall arrive, there will be 11 Counsellors upon ye Island; and we shall take the first opportunity to offer another person to H.M. to make the number of Counsellors compleat. [*C.O.* 138, 12. *pp.* 314-317.]

Aug. 13, Whitehall. **88.** Council of Trade and Plantations to Governor Crowe. *Acknowledge* letter of May 18. As to what you write touching the repeal of the Act about the Governor's holding General Sessions, and to the new one past and transmitted hither, we shall take the said Acts into consideration at a convenient time, and lay the same before H.M., and so soon as H.M. shall have declared her pleasure thereupon, we shall signify the same to you. Before we sent you our opinion upon your suspension of the Law mentioned in our letter of Jan. 29 last, in relation to Mr. John Holder, we had read and maturely considered that part of the Minutes of Council and Assembly which you sent us touching that matter, and are therefore very much surprized at your saying, that if we had perused the Minutes of Councill at a Court of Grievances, we should have seen that you had no share in suspending the execution against Holder. We admit, that writs of error or appeals from inferior Courts brought before you in Councill, or other matters cognizable in Council, the same being determined by a majority, do become the acts of that Board, for which you are not personally answerable; but for the reasons sent you, June 25, we take Holder's case to be of another nature, and are still of opinion that the suspending of execution upon the judgment passed against him by an Act of the Legislature, is a matter no ways cognizable before you in Councill, or releivable by any other authority than of the Legislature, by which the said Law was first made. We must observe to you, that among the Acts of Assembly last transmitted to us, we find one (relating to the late repealed Paper Act) wherein there is a clause to compel Holder to account for a summe of money, therein mentioned in like manner and under the like penalties and forfeitures as are contained in that former Clause, for his refunding the 5 per cent., while that Law (so lately passed and by a new Assembly) was depending, he had a good opportunity of applying for relief against the hardships complained of in the refunding Clause, but we presume he had no hopes of relief, tho' from a new Assembly, since we do not find from the Minutes of Councill or of Assembly, that any step has been made therein; and by this our observation, you will find that we have perused the papers last sent us. We shall expect the list you promise us of all the Patent Officers, and the value of their places, by the first conveyance, as also the copies of the Publick Accounts, together with those of the Revenue. We shall consider what you write in relation to Counsellors, and give you notice of

1708.

what shall be done therein. We have layd before H.R.H. the affidavits *etc.*, against Capt. Fane. You ought yourself to have transmitted them to H.R.H. as well as to us. We are glad to hear that H.M.S. *Greenwich*, in her cruizing, has met with and taken a French prize. You will do well to send us the best account you can of all prizes that shall be taken from time to time. You say that in the new Commission of the Peace, we shall find there are none but men of the best estates. You would have done well to have incerted in the list of their names, to which you referr, their qualifications, for the bare list of them gives us no information. [*C.O.* 29, 11. *pp.* 289-293.]

Aug. 16. Whitehall. **89**. Council of Trade and Plantations to Mr. Secretary Boyle. *Reply* to Aug. 11. Capt. Vetch's proposal is still under our consideration, in order to our laying the same, with our opinion upon it before H.M., which we shall do with as great a dispatch as the nature and weight of such a matter will allow. In the mean time, from what we have hitherto been able to observe upon it, we think Capt. Vetch's proposal of such use as to deserve incouragement. Wherefore, in regard it is necessary that it be duly examined and considered, and that in the doing thereof, it may be proper from time to time to confer with the proposer (of whom we have heard a good character), as well while the same is before us, as when it shall fall under H.M. further consideration, we are of opinion that he be directed and incouraged to attend H.M. commands here in relation to his said proposal. And having discoursed him as to his stay here, we find that his attendance here will oblige him to some charge, he having a wife and family at New York, whither his occasions call him, and would be going thither in company with the Lord Lovelace, if not required to attend here. Nevertheless, if H.M. will graciously please to allow him after the rate of 10/- day, so long as it shall be found necessary to continue him here, he will rest satisfied therewith, he proposing it only to enable him to subsist, and not to capitulate any thing for himself. *Autograph signatures.* 2 *pp.* [*C.O.* 5, 1084. *No.* 38; *and* 324, 9. *pp.* 253, 254.]

Aug. 16. Whitehall. **90**. Council of Trade and Plantations to the Queen. *Recommend* the appointment of Wm. Bird to the Council of Virginia. [*C.O.* 5, 1362. *pp.* 300, 301.]

Aug. 16. Whitehall. **91**. Council of Trade and Plantations to Governor Parke. Since our letter of June 25, we have received none from you, however we cannot omit this oppertunity of acquainting you according to your desire with such complaints as have been laid before us. We are informed that at Antego the Gentlemen Officers and soldiers are ill used; that strangers are made officers over the heads of Gentlemen who had served many years; that the soldiers are sent in private sloops to trade without the officer's knowledge or consent; that the Assembly upon three days sitting was dissolved only for addressing in behalf of a poor woman, who had soldiers put into her house to take possession of the same without law or reason. This being the substance of what we have been informed of, we shall expect from you a full and clear answer thereunto, with such affidavits as you shall find necessary in your own justification, and as it will be for your interest, that nothing of this kind may remain unclear'd, we are of opinion this our letter be communicated to the Councill, and accordingly we advise you to it, that if there be no grounds for the said complaint, you may publickly make the same appear. And if there be any persons who think they are aggriev'd or have reason to complain, and are willing to make out the same, you are to permit them to do it before the Councill, and to take such affidavits relating thereto as they shall judge necessary, whereby you will have an oppertunity of answering such complaint, and of transmitting the same to us. This we look upon to be so much for your advantage and service, that we cannot doubt of your ready complyance herewith. [C.O. 153, 10. *pp.* 189, 190.]

Aug. 17. Whitehall. **92.** W. Popple to Col. Romer. *Encloses* copy of stores of war demanded for New Hampshire. The Council of Trade and Plantations desire you to give them an account of what stores there were remaining there when you came from thence; as likewise of what you think necessary to be sent. [*C.O.* 5, 913. *pp.* 4, 5.]

Aug. 17. Whitehall. **93.** Council of Trade and Plantations to the Board of Ordnance. We desire you to let us have an account of what Ordnance stores were last sent to New Hampshire. [*C.O.* 5, 913. *p.* 5.]

Aug. 17. Barbados. **94.** Governor Crowe to the Council of Trade and Plantations. In obedience to your Lordships' commands of Aprill 15th, I have made as strict an examination as I can into the Affrican trade since June 24, 1698, and am sorry to tell yr. Lordshipps that I can get but an imperfect acct. thereof, by reason severall merchants, who had negroes consigned them are either dead, or gon off with their books, and Messrs. Heyshams ffactors has sent theirs home; so the inclosd paper is the best that I could procure from those Gentlemen that remain, by wch. your Lordships will perceive that negroes has been since an open trade very dear here, the best from £30 to £40 each, and in an average amounts to about £23.8. per head, there is little or no difference in the prices betwene what the Company and private traders sold at the same time. By the Navall Office list (wch. is the most correct), yr. Lordshipps will perceive there has been 34,583 imported from June 24th, 1698-1708, of wch. 9006 by the African Compa., wch. is above $\frac{1}{4}$, and the whole makes but 3458 per annum. Whereas to keep up the present stock of this Isld. computed at 52,000, and

7 per cent. per annum the common decreas amounts to 3640, so that if there is not a greater supply, negroes will rather advance than lower their prices; the want whereof occasions above $\frac{1}{4}$ of the lands lying uncultivated, and there is not ten plantations fully handed. When the Company had the sole trade to Affrica, negroes indeed were much cheaper here, and I find these reasons for it. (1) They could slave on the coast on their own terms, whereas the separate traders goeing there, advanced the price from £4 to £10 per head. (2) The produce of this Island was then more advantagious in returns, bills of exchange goeing at parr, but rarely above 10 p.c., whereas now they pay 30 to 35. (3) The high premio on insurance and loss by the warr, many shipps haveing miscarryed. (4) As the Collonies increas so doth the demand for negroes, wch. has drain'd the coast, so that now they are forced to be supply'd at a greater charge from the inland countries.

By the accompt of the 10 p.c. yr. Lordships will find whatt trade has been drove from hence to Affrica, and that of 111 vessells loaden here since Dec. 9, 1698, only 18 has been on the Companies account, and those in the late years when the Compa. perceiv'd the separate traders began to neglect it. I find only Messrs. Carter and Harbin amongst the traders here that still continew it on their own acct., and that so little that 'tis not worth mentioning. I have consulted wth. severall of the principall planters and antient inhabitants, and find they are of opinion the plantations can never be well supply'd but by a united stock, for any little discouragemt. to private traders may occasion their desisting, and then the Collonies must suffer, as is evident in these two last years; only one small shipp and two sloops has arriv'd on the private traders' account with 350 negros, whereas to keep up the number now on the Island, and supply what are wanting we should have at least 5000 per annum, but except a Compa. have a sufficient stock, and oblidg'd to transport such a number yearly to the Collonies, it may prove of very dangerous consequence. *Signed*, M. Crowe. *Endorsed*, Recd. 19th, Read Nov. 23rd, 1708. 2 *pp.* *Enclosed*,

94. i. Account of negroes imported into Barbados, since June 24, 1698, (*a*) by private traders, 7218, sold for £159,138. 6. 8., + 1362 negroes consigned to John Grove, who "would give noe acct. of ye sales, being a Quaker." (*b*) imported by the Royal African Company 1700-1708, 5982 negroes sold for £156,425. 7. 6. *Endorsed*, Recd. Nov. 19, 1708. 2 *pp.*

94. ii. Naval Officer's List of negroes imported into Barbados, June 24, 1698—Dec. 1707, 34,583. *Same endorsement.* 1¼ *pp.*

94. iii. Account of the 10 p.c. duty on negroes imported into Barbados, Dec. 9, 1698—June 30, 1708. *Total*, £7443. 2. 9. The African Company paid no duty, but the total includes what the duty would have amounted to. Names of ships given. *Same endorsement.* 3 *pp.*

[*C.O.* 28, 11. *Nos.* 23, 23. i-iii.; *and* (*without enclosures*) 29, 11. *pp.* 319-323.]

Aug. 17. Barbados. **95**. Governor Crowe to the Earl of Sunderland. *Encloses copy of following.* Unlesse there be two convoys yearely from England, and new Orders to H.M. men of warr, this place cannot subsiste. I hope Mr. Coxes letter has fully satisfied your Lordship *etc.* *Signed*, M. Crowe. *Holograph.* 1 *p.* *Enclosed,*

95. i. Duplicate of part of following letter. [*C.O.* 28, 38. *Nos.* 71, 71. i.]

Aug 18. Barbados. **96**. Governor Crowe to the Council of Trade and Plantations. *Acknowledges* letters of May 14 and June 25. The last Assembly was not dissolved, but fell in cource, their year being expired, neither had I any difference with them, it was the Members of the Councell and they, that could not agree about the bill of excise, so that I perceive your Lordships misapprehended that matter. I have not only often recommended to them the necessity of raising money to compleat Fort St. Ann, and dischargeing the debts and accrueing charges of the Island, but put them into a method of raising funds for the same, wch. is now under their consideration, and most of the publick accompts stated. The Fleete arriv'd here on the 8th past, it's allmost loaden and will be ready to sail in 20 days, their passing the Maderas is a great disappointment, not only to the publick (for the Customes commonly amounted from 5 to £7000) but wine, wch. is the common drink here, and used to be sold for 15 is now 35 per pipe. Except two convoys be allow'd annually as was appointed, the planters will not be able to hold their estates, for the shipps per last will not be able to carry off the crop, wch. makes ye masters stand on high ffraights, now demand 12s. 6d. p.c. and good sugar may be bought at that rate, above 3000 hhds. will be left in the store-houses. I cannot but observe to your Lordshipps the inconveniencie that may happen by the Parliament's takeing away the Governor's power of pressing men for H.M. shipps. The Prince has given orders to the men of warr yt. attend this Island (notwithstanding any former orders) to return to England when the shipp's company by sickness or otherwise shall be so far reduc'd, that there remains but men enough to carry them home, (wch. is left to the Capt.'s discretion), so that if they should happen in a cruice to meet wth. an enemie that destroys them any number of men, or by sickness or by any other accident disabled, the Isld. will be left without anything to guard it; so that two French sloops will take all our Northern trade and starve us. Neither has the country money or credit to fitt out vessells, it now pays to Mr. Roberts 20 p.ct. for the intrest of whatt he disburst on the three sloops that were sent to look after Ducass.

A list of Pattent Offices:—The Attorney Generall has not been in one year, so can give no annual vallew theirof; The

Register in Chancery, £500; the Provost Marshall, £400; Navall Office, £300; Clarke of the Crown, £70; Clarke of the Market, £80. *Signed,* M. Crowe. *Endorsed,* Recd. Nov. 25, Read Dec. 3, 1708. 2 *pp.* *Enclosed,*

96. i. Copy of Address of the Assembly of Barbados, to Governor Crowe, Sept. 4, 1708. Reply to complaints of three Members of Council as to his male-administration *in detail.* There has not been so general a satesfaction and so much quiet in this Island for 4 years. The principall grounds for dissatisfaction remaining are, (1) Poverty owing to the paper bills, and the late arbitrary government of Sir B. Granville, wch. has made several hundreds of the inhabitants leave. (2) A full inquiry has not yet been made into the bribery and corruption by wch. that paper money was forced upon us, (3) or into the villainous treatment of Major Lillington and Col. Downes. (4) The grievous extortions in the Register's Office of the Court of Chancery are not yet reformed. (5) The simonaicall disposall of Church liveings in the time of Sir B. Granville are not yet enquired into. *Signed,* William Grace, Clk. of Assembly. *Endorsed as preceding.* 3 *pp.*

96. ii. List of Baptisms and Burials.

Parishes.	*Baptisms.*	*Burials.*
St. Michaels *from* May 23, 1707 *to* Aug. 1708	110	146
St. Josephs ,, May, 1707 ,,	25	6
Christ Church ,, June 24, 1707 ,,	65	39
St. Peters ,, June, 1707 ,,	32	38
St. Lucys ,, Jan., 1708 ,,	51	12
St Georges ,, June, 1707 ,,	12	35
St. Thomas ,, May, 1708 ,,	3	5
St. James ,, May, 1707 ,,	25	21
St. Andrews ,, Aug., 1707 ,,	20	10
St. Philips ,, May, 1707 ,,	106	29
St. Johns ,, Sept., 1707 ,,	19	22

Same endorsement. $\frac{3}{4}$ *p.*

96. iii. Abstracts of causes determined in Courts of Common Pleas, April-Aug. 1708. *Endorsed,* Recd. Nov. 25, 1708. 58 *pp.* [*C.O.* 28, 11. *Nos.* 40, 40. i-iii.; *and* (*without enclosures*) 29, 11. *pp.* 343-347.]

Aug. 18. Kensington. **97.** Order of Queen in Council. Alexander Skeen is dismissed from the post of Secretary of Barbados. *Cf.* July 8. *Signed,* Chris. Musgrave. *Endorsed,* Recd. Sept. 15th, Read Oct. 25, 1708. 1 *p.* [*C.O.* 28, 11. *No.* 13; *and* 29, 11. *pp.* 298-299.]

Aug. 18. Kensington. **98.** Order of Queen in Council. Appointing Wm. Bird to the Council of Virginia. A warrant to be prepared accordingly. *Signed,* Chris. Musgrave. *Endorsed,* Recd. Sept. 15, Read Oct. 25, 1708. $1\frac{1}{2}$ *pp.* [*C.O.* 5, 1316. *No.* 4; *and* 5, 1362. *pp.* 301-303.]

1708.
Aug. 18. **99.** Mr. Solicitor General to Mr. Popple. *Reply to* Aug. 11. I am of opinion that the Repeal of ye Antego Act dos not make void the Nevis Act. For the Act wch. passed ye Generall Assembly at Nevis subsist by the authority of that Assembly, and is not to be look'd upon to be dependent on the Antego Act. When ye authority that made it to be a Law in the Leeward Islands, or the Queen shall think fit expressly to repeal it, it will determine. But till then I shall looke upon it to be in force. *Signed*, Jas. Mountague. *Endorsed*, Recd. 18th, Read 20th Aug., 1708. *Holograph.* 2 *pp.* [*C.O.* 152, 7. *No.* 53; *and* 153, 10. *pp.* 192, 193.]

Aug. 18. **100.** Memorial from Mr. Dummer concerning the Act *for encourageing Trade to America.* The limmiting clause is, No molestation whatsoever between Rio de la Hatch and River Chagre, or within 5 leagues at sea of any part of that shore—to any sloop, *etc.*—Coleby's expedition is a breach of this Law, the effect whereof has broaken the private trade of Jamaica to that part of the Continent in a very great degree, and if not remedied will preclud it wholly. The remedy to retrieve the said trade is, that all privateers who shall cruize to leward of River de la Hatch, be charged with instructions annex'd to their Commissions of the conditions underwritten upon securityes unquestionable (1) That they shall attack and take no other ship, on that coast, but such as shall be mann'd and sailed with French men; preserving the ship's company to evidence the lawfullness of the capture. (2) That in case they take or destroy any Spanish coasting vessell mann'd with Spanyards on the said shore, carrying coastwise the manufactures of Europe, that then they shall be subject to the penalty of paying to the Spanyard the double value in the same species they shall so take or destroy. And the coppyes of such instructions being sent to the Spanyard will revive the trade. *Subscribed in another hand*:—N.B. Add another instruction *viz.*, That no goods of the growth, product or manufacture [*? of H.M. Dominions.* Ed.] brought in by any privateer, shall be accounted lawfull prize. *Endorsed*, Recd. Read Aug. 18, 1708. 1 *p.* [*C.O.* 137, 8. *No.* 16; *and* 138, 12. *pp.* 318, 319.]

Aug. 18.
Kensington. **101.** Order of Queen in Council. Referring following to the Council of Trade and Plantations for their report. *Signed*, Chris. Musgrave. *Endorsed*, Recd. Oct. 27, Read Nov. 12, 1708. $\frac{3}{4}$ *p.* *Enclosed*,

101. i. Edward Jones to the Queen. Charges against Lt. Governor Bennett, as *supra. Copy.* 30½ *pp.* [*C.O.* 37, 8. *Nos.* 71, 71. i.; *and* 38, 6. *pp.* 424-431.]

Aug. 18.
Kensington. **102.** Order of Queen in Council. John Peek is appointed to the Council of Jamaica. A warrant to be prepared accordingly. *Signed*, Chris. Musgrave. *Endorsed*, Recd. 5th, Read 25th Oct., 1708. 1¼ *pp.* [*C.O.* 137, 8. *No.* 19; *and* 138, 12. *pp.* 327, 328.]

1708.
Aug. 18.
Kensington.

103. Order of Queen in Council. Approving Additional Instruction to Governor Handasyd relating to escheats (*See* July 30). *Signed and endorsed as preceding.* ¾ *p.* [*C.O.* 137, 8. *No.* 20; *and* 138, 12. *pp.* 328, 329.]

Aug. 18.
Kensington.

104. Order of Queen in Council. Mr. Lewis Morris is appointed to the Council of New Jersey, instead of John Harrison (*See* July 1). *Signed,* Chris. Musgrave. *Endorsed,* Recd. 15th Sept., Read 25th Oct., 1708. ¾ *p.* [*C.O.* 5, 970. *No.* 79; *and* 5, 994. *p.* 464.]

Aug. 19.
Kensington.

105. H.M. Additional Instruction to Governor Lord Lovelace. You are to admit Lewis Morris to Our Council of New Jersey, and also to cause him to resume his former place therein. *etc.* [*C.O* 5, 210. *p.* 113.]

Aug. 19.
Tunbridge Wells.

106. Mr. Way to Mr. Popple. Recommends Mr. Hotchkyn to supply a vacancy in the Council of Jamaica. *Signed,* Benj. Way. *Endorsed,* Recd. Aug. 21, 1708. *Holograph. Addressed. Postmark.* ½ *p.* [*C.O.* 137, 8. *No.* 17.]

Aug. 20.
New York.

107. Governor Lord Cornbury to the Council of Trade and Plantations. Since I wrote to your Lordshippes by the *Elisabeth* gally, one Sylvanus Grevill Master, bound from this port to Bristol, by which I acknowledged the receit of your letters of June, 1707, I have not been favoured with any letters from your Lordshipps. Since that ship sailed, I have been up at Albany in the hottest season of the year, which made my voyage very uneasy as well as dangerous for health, but having been informed by the Commissioners for Indian affairs that the Sachems of the Five Nations had sent them word that they would be at Albany by July 15, and that they desired I would meet them at that time, I immediately ordered a sloop to be got ready, and notwithstanding the heat of the weather which was excessive (it being the hottest summer I have yet felt since I came into America), I got to Albany on July 16. None of the Sachems were then come, but the next day one Kunasore, who is the chief Sachem of the Onondagos, and Cagnaquinny, one of the chief Sachems of the Oneides, with three other Indians came to towne, and hearing that I was there, they came to me and told me that they came to bid me welcome to Albany, that they had noe businesse, but came only to trade, I asked them where the rest of the Sachems were; they told me they were busy in making canoes, at a place which they named, and is 160 miles from the first of the Mohacks' Castles, consequently 200 miles from the towne of Albany, I asked them if they knew when the Sachems intended to be at Albany, and if they knew of a message the Sachems had sent to the Commissioners for the Indian Affairs, they said they did believe the Sachems did intend to be at Albany in a month's time, but they were not sure; that they had heard that the Mohacks had sent a message to the Commissioners, but that they did not know of any time appointed for their coming. I desired them to send one of their young men to the Sachems to know when they would come, which they did, and he being returned told me that the Sachems were at work upon their canoes, and that they could not come till they had finished them, which would be about a month, upon that I resolved to return to New York, where the Assembly were to meet upon August 18, but I must acquaint your Lordshipps that during my stay at Albany, twelve of the farr Nations of Indians came to trade with our people, there are two Nations of them who are called Twigtwicks and Dionondadees, the nearest of their Castles is 800 miles from Albany, I have been these five years endeavouring to get those Nations to trade with our people, but the french have always dissuaded them from coming till this year, and this year, goods being very scarce, they came to Albany, where our people have suplyed them with goods much cheaper than ever the french did, and they have promised me to return in spring with a much greater number of their Nations, which will be a very great advantage to this Province; I did, in a letter of June 25, inform your Lordshipps that three french souldiers, who had deserted from the french at a place called by them Le Destroit, were come to Albany, while I was at Albany, another deserter came from the same place, whom I examined my self, and I send here inclosed a copy of his examination, by which your Lordshipps will perceive how easily the french may be beaten out of Canada, I did send a proposall for that purpose to the late Lords Commissioners for Trade and Plantations in 1702. The better I am acquainted with this country, and the more I enquire into matters, soe much the more I am confirmed in my opinion of the facillity of effecting that conquest, and by the method I then proposed, to which I refer; the advantages that would attend that matter are very many, and perticularly this, that Newfoundland will be a very easy conquest after Canada is reduced, what an advantage the having all Newfoundland would be to England I believe everybody sensible of, and that that would be the certain consequence of reducing Canada, is most true; besides this deserter, there is come to Albany one Montour, who is the son of a french Gentleman, who came above 40 years agoe to settle in Canada, he had to doe with an Indian woman, by whom he had a son and two daughters, the man I mention is the son, he has lived all along like an Indian, some time agoe he left the french, and has lived among the farr Indians, and it is chiefly by his means that I have prevailed with those farr Nations to come to Albany, he has given me the same account of Canada that the deserter did; the regular forces in Canada consist of 28 companys of foot, at their first coming they were fiftys, but now by death and desertion the strongest of them is but 22, some 16, most of them 12 or 14, Canada is now governed by one Monsieur de Vaudreüil, under him one Monsieur de Ramsay commands at Montreal, which is the

1708.

upper part of Canada, in which the whole number of men does not exceed 800, Quebec, which is the lower part and much the larger part of Canada, has near 3000 men in all, soe that the whole strength of Canada does not amount to 5000 men including the Regular forces, Quebec is fortify'd with sodd work, but now they have begun to fortify with stone, they doe it by degrees, every year some, soe that if they are not disturbed, in four or five years they will have finished their work, which will make the reducing that place much more difficult then it is now. I have often by letters informed the late Lords Commissioners for Trade and Plantations of the necessity of having presents sent over from England for the five Nations of Indians; without which it is impossible to keep them firm to the Crowne of England, they have had noe presents since the first year that I came hither, which is above six years agoe; I have proposed it to the Assembly, which is now sitting, to raise a fund for presents for them this fall, I can't yet tell if I shall prevail with them or not, but if they doe not raise such a fund, I am afraid we shall loose the Indians before next summer. I have endeavoured to convince them of the necessity of the thing, therefore I am in hopes they will doe it. About £400 sterling, well laid out every other year in England, would furnish presents enough to keep the Indians firm to the interest of England, and I don't at all question but if that were allowed, I could debauch a great many of the French Indians from them. I intreat your Lordshipps will please to recommend this matter soe effectually to my Lord High Treasurer that it may be obtained. I was in hopes to have sent you by this conveyance the Minutes of Councill and Assembly from the time of my arrivall in this Province, but the Clerks have not been able to get them ready, the Virginia fleet sailing much sooner then was expected, but as soon as possibly they can be done, they shall be transmitted *etc.* *Signed,* Cornbury. *Endorsed,* Recd. Read Dec. 9, 1708. *Holograph.* 4 *pp.* [*C.O.* 5, 1049. *No.* 97; *and* 5, 1121. *pp.* 349-355.]

Aug. 23. Whitehall. **108.** Council of Trade and Plantations to the Queen. *Recommend* that John Hallett be appointed to the Council of Barbadoes. [*C.O.* 29, 11. *p.* 297.]

Aug. 23. Antigua. **109.** Governor Parke to the Council of Trade and Plantations. I have obeyed yr. Lpps. orders to the utmost of my power and have sent the best acctt. I can gett of what negroes have been imported into my Government so far back as could be procured. The Agent for Antigua before Feb. 170½ is dead, and Sr Tho. Cook in London is his Executer. Inclosed is an acctt from Mr. Chester who has acted as Agent ever since. There has no negroes been imported from the Company to Nevis since I came, and their Agent before my time is dead, and his widdow has, or pretends has, lost the books when the French took the Island. The private traders are either dead or gone of the Island that were before my time, since my

1708.

time there has been a smal vessell wth. abt. 180, but the master yt. sold them was lost in returning home. I can't learn that the Compa. ever had an Agent at St. Christophers, there has not any been imported in my time, and those merchants that imported any before are eighther dead or gone off the Island, and their books lost by the invasion or hurricane. Col. Fry is the Comp.'s Agent at Montserat. I sent to him the first opertunity I had after I had yr. Ldpps. Orders, but as yet have no answer, nor have I any from the Lt. Governor what has been imported by private trade, the number I am informed is inconsiderable on eighther side. There has been since my time but three ships and one briganteen fitted from my Governmt. for that trade, two by the Compa.'s Agent, and two by private traders, two of wch. arrived safe, the other two 'tis fear'd are lost. *Signed*, Daniel Parke. *Endorsed*, Recd. Nov. 25, Read Dec. 7, 1708. *Holograph.* 2 *pp.* *Enclosed*,

109. i. Negroes imported from Africa to Antigua, by private traders June 24, 1698-Dec. 25, 1707,—4945. *Details given.* *Endorsed*, Recd. Nov. 23, 1708. 1 *p.*

109. ii. Negroes imported into Antigua by the Royal African Company, June 24, 1698-Dec. 25, 1707.—1805. *Details given.* *Endorsed as preceding.* ½ *p.*

109. iii. Edward Chester's Account of sales of negroes imported into Antigua by the Royal African Company, Feb. 2, 170½-Aug. 26, 1707. Names of purchasers and prices given in detail. Number of slaves imported:—2178. 11 *pp.* [*C.O.* 152, 7. *Nos.* 64, 64. i.-iii.; *and* (*without enclosures*) 153, 10. *pp.* 228-230.]

Aug. 23. Whitehall. **110.** Council of Trade and Plantations to the Queen. *Propose* Valentine Mumby for the Council of Jamaica, in the room of Mr. Ascough, he "having been recommended to us by the merchants here as a person of a considerable estate in that Island, well affected to your Majesty's Government, and long resident there," *etc.* [*C.O.* 138, 12. *p.* 320.]

Aug. 23. Whitehall. **111.** Council of Trade and Plantations to Governor Handasyd. Since our letter to you of Aug. 13, we have further consider'd your complaint of the great obstruction which our privateers have given to our trade with the Spanish nation in the West Indies, and have received the like complaint from some eminent merchants here who are concerned in that trade. Whereupon we observe that such pernicious practices, contrary to H.M. express Instructions were committed before the Act *for the encouragement of the trade to America*, sent you May 14, could reach Jamaica, and do hope that since the publication of that Law there the like mischiefs have been and will be prevented for the future. Yet we think it our duty to H.M. once more to let you know how much we were dissatisfy'd with such practises, tending to the prejudice of a trade much more beneficial to this nation then whatever can be gained by privateering in

1708.

those parts. We therefore strictly recommend it to you that all possible care be taken in the most effectual manner to prevent the like for the time to come. In order whereunto, you are amongst other things to communicate this our letter to the Members of the Councill there, and to such others as you shall judge proper, and exhort them in their severall stations to do what in them ly's to detect, discourage and prevent all such unlawfull privateering contrary to the said Act; in which Act there is a clause whereby all trade with the Spaniards between Rio la Hacha and the River Chagré, and within 5 leagues at sea of any part of that shore, is to be free and unmolested. This you are in the most proper manner to make known to all who are any wise concerned therein, and at the same time to signify to ym. that whoever shall presume to act contrary to the express directions and provisions in that Law (which has been judg'd necessary to our carrying on so proffitable a trade with the Spaniards on that coast) every such offender will not only incur H.M. highest displeasure, but be further punish'd with the utmost rigour of Law. For notwithstanding the want of an express penalty in that clause, every breach of a Law is punishable at Common Law at the discretion of the Court, upon an information to be exhibitted in the name of the Queen's Attorney Generall. We are sensible that when a prize is brought into Port in order to an adjudication in the Court of Admiralty (as the Law directs) it will be difficult to prove whether such capture was made within the said limmitts or not, without a discovery thereof by some of the captors' crew, or unless the captor be required to preserve and bring into Port some of the ship or vessell's company so made prize to evidence the lawfulness of the capture, which last mentioned method you may lawfully require to be strictly observed by all persons concerned in privateering within your Government, and we do expect that you give such an Instruction to them accordingly. As a further remedy against such unlawfull practices at present we see no objection to the making some provision for an Act to be passed the next Session of Parliament whereby no goods or merchandizes of the growth, product or manufacture of any of H.M. Dominions, brought by any ship of war, privateer or letter of marque, main, into any Port of America, except in the case of recapture, or of a French prize, shall be accounted lawfull prize, which we conceive will effectually put a stop to all illegal and pernitious captures contrary to the said Act. But this we only mention, that in case you have any just objection thereto you may acquaint us with it. It will be convenient that in the best manner you can, timely notice be given to the Spaniards upon that coast of the due care that is taken not to molest them in their trade with the Queen's subjects, and that in case any damage shall at any time be done to them, that upon complaint made to you they will receive due satisfaction, which we hope will remove whatever discouragement in that trade they may at present lye under. [*C.O.* 138, 12. *pp.* 321-324.]

1708.

[Aug. 23.] **112**. Order of Queen in Council, Aug. 17, 1704. Confirming Revenue Act of Jamaica. *Signed*, William Blathwayt. *Endorsed*, Recd. 29th July, Read Aug. 23, 1708. $1\frac{3}{4}$ *pp*. [*C.O.* 137, 8. *No*. 18; *and* 138, 12. *pp*. 325, 326.]

Aug. 24. Whitehall. **113**. Mr. Popple to Mr. Solicitor General. *Encloses* for his opinion an Act of Nevis, Feb. 23, 170$\frac{3}{4}$, *for the establishing of Courts*. The inhabitants and planters in those parts were so well satisfyed of the usefulness of this Law that at a Generall Assembly of all the Leeward Islands held in June, 1705, the same has been enacted to be in force throughout all the said Islands, *etc*. [*C.O.* 153, 10. *pp*. 193, 194.]

Aug. 24. Office of Ordnance. **114**. Board of Ordnance to the Council of Trade and Plantations. *Enclose following* (*cf*. Aug. 17). We have sent at severall times stores to New England, from whence supplys might have been sent to New Hampshire, but wee received no account thereof. *Signed*, C. Musgrave, Wm. Bridges, Ja. Craggs. *Endorsed*, Recd. 25th, Read 26th Aug., 1708. 1 *p*. *Enclosed*,

114. i. List of Stores of War sent to New Hampshire, July 30, 1692. $1\frac{1}{2}$ *pp*. [*C.O.* 5, 864. *Nos*. 237, 237. i.; *and* (*without enclosure*) 5, 913. *p*. 6.]

Aug. 24. Whitehall. **115**. W. Popple to Lord Baltimore. The Council of Trade and Plantations having long expected that your Lordship and Mr. Penn should have come to some agreement relating to the boundaries between the Provinces of Maryland and Pensilvania, their Lordships have commanded me to acquaint your Lordship, as also Mr. Penn, that unless the said agreement be made and layd before their Lordships on or before Oct. 12, they shall be obliged without delay to make their report to H.M. thereupon, as the same does now lye before them. [*C.O.* 5, 727. *pp*. 53, 54.]

Aug. 24. Antigua. **116**. Governor Parke to the Council of Trade and Plantations. I shall in the best manner possible have the two Laws sent me publish'd in each of the Islands, and take care pursuant to yr. orders, to put them in execution, though I shall have something to doe to make them observe the law for regulateing ye coine, for of late they have brought out all theyr light money and they take some pieces of eight for six shillings, which I believe the intrinsick value is not two, this will exasperate them, soe that I shall despaire of getting anything for house-rent that was due to me before I had your last instructions, the people begin now to be satisfied, the Councill have taken pains to satisfie them ye grievances they pretended in takeing Mrs. Hastings' house, and putting in soldiers was false, they brought severall yt. was told by Codrington's Caball, I had taken the house she lived in, and have show'd them the Hutt, which is litle bigger then a centry box and show'd them it stood on the Towne land, and satisfied them the soldiers could not live on this dear Island except they had quarters, and

1708.

that the Assembly woud not allow quarters, except I passed Laws, yt. I coud not justifie, show'd them the records, to justifie them that the not swearing Mr. Perry, he being noe freeholder where he was chose, was according to the ancient custome, used from the very first Assembly downe to the late Coll. Coddrington's time, and then they made a law to enable anyone to be chose, which law was rejected at home, soe the same method was to be followed, which was before that Law. The Councill have taken soe much pains to satisfie the people, that they assure me yt. in the next Assembly few or none of Coddrington's party will be chose. They all begin to be satisfied that 'tis only a tricke to gett me out, and Codrington in, they employ one Nivine, an impudent North Brittish lawyer, and he and this Perry and Tankard makes feasts and getts men drunke, and then getts them to signe a paper they call articles, against me without knowing one word of them, as severall of them have confessed; others that have more sense they tye by giveing them an oath not to divulge them, a deposition relateing thereto I here send you; some of my friends gott one of them drunke and asked him the Articles, he told them one was I had traded wth. the French. Now I can prove by the oaths of each man that ever went with a flagg of truce, that directly nor indirectly, in my owne name nor any others, that ever I had goeing or coming, any more then a hogshead of clarratt for my owne table in each flagg of truce, and that I pay'd for in ready money, the Collector and Wayters will swear that I from my first comeing order'd them to search all flaggs of truce. I have taken all the care possible to prevent it, and I believe that is the true grievance, for my predecessor, Col. Johnson, suffer'd it publickly, and has had himselfe six hoggsheads at a time. I order'd one Peuch to be prosecuted for carryeing 50 barrills of beef, but there came noe evidence against him, the Collector tells me he has search'd them in the harbour, and he has been informed the sloope has gone into another bay, and there they have sent beefe on board in the night, there is noe way to prevent it, but by breakeing the Cartell, and that the Councell tells me will ruine the Island. This Peuch was the man that was used to be sent up before my time, soe I continued him, but since I heard of his carryeing up beefe, I never have sent him nor never will for the future, though he pretends the beefe was in the sloope before she was press'd, and one Montegroe one of theyr richest merchants had sworne it, and that she was designed for Montserratt, and that they never designed to sell it in Martinecoe. I thanke God I can prove my innocency, that I neither had directly, nor indirectly, anything to doe with it, nor knew anything of it untill I had an acctt. from sayd Peuch that a french privateer had robbed him of it goeing to Martinecoe, and that it was not designed to be sold there; I heare another article is, Mr. Chester swears he gave me a bribe of 20 pistoles for a Register. I never had any gold or silver of him on any account in my life, it seems he calls

1708.

20 barrells of damnified flower 20 pistoles, the story is this, he has had a briganteen and sloopes registred as by the records will apear at severall times, and I never tooke soe much as my fee, which is two pieces of eight, but some litle time after the Hurricane all provisions being scarce, I sent about the towne to buy some biskett, or flower for my negroes, but cou'd not buy any. Mr. Chester came to me one morneing, and told me he had some flower damnified wth. salt water, the best of which he had disposed of, and perhaps in this scarce time my negroes might make shift with it, and if I pleas'd to trye he would lett me have tenn barrills. I asked him the prise, he told me it was soe bad he could set noe price, he wou'd put it on board my privateer sloope, to carry it to St. Kitts, accordingly he did, and when it came there, it was soe bad it was not worth my lawfull fee for one register, but to my very good fortune there was one Mr. Roache a merchant by; who is ready to depose upon oath what is here set downe is true, and that there was not one word of register, or any thinge like it, and by examineing the Record, I find that Mr. Chester very often registers sloopes and vessells, he had not registred any for severall weekes before or after he made me a compliment of these tenn barrills of flower, which were worth just nothing; An other article as I hear is, that I traded to Curascoa. I doe assure your Ldpps. I have never traded for any kind of thing. I have settled a plantation at St. Kitts. I thinke a shepherd will not be the less carefull for haveing sheepe of his owne in the fflocke, soe that I hope my haveing hired a plantation will not be imputed a crime, if it be, I have been justly punished by loss of negroes and the hurricane, what I have sent for the use of my plantation, I employed one Mr. Rawleigh to deliver out to them, if he has to much of one thing, he disposes of it for some other thing that is wanting as every manager of a plantation does, and this consists only in 5 or 600 yards of cotton, and as much osenbrigs and blew linnen, and hoes, axes and bills and other tools. I hope this cant be called trade, and for sending to Curacoa, this is the story, at the request of the inhabitents, I fitted out a privateer as much to gratifie them as any profit I expected, she never tooke but a briganteen, loaden with ginger and sugar, both vessell and cargoe was sold for £700, since she has taken some negroes of Mary Gallante and Martinecoe, she was soe run out of repaire, she cou'd not be fitted here, I was advised to put some of the prize ginger and sugar on board her and send her to be fitted to Curacoa, which I did, but gave strickt orders to the master to bring noe goods backe. And if the ginger and sugar sold for more then fitted the sloope to bring money backe, and I order'd the Collector to see that nothing was carryed in her or brought backe but what might lawfully be done, it soe happned that the sugar and ginger sold for less then the fitting the sloope came to, soe that she brought neither money nor any other thing, to the truth of this I can have the depositions of the master and

all the crew, and the Collector who sent on board; the same sloope has now spranke her mast, and because she must be sent to the northward to get a new one, none being to be had here, I have let her to a merchant, and have nothing to doe with her lading, and when fitted have order'd him to sell her as alsoe another privateer, resolveing for the future not to give the least pretences for sayeing I traded, what the privateers tooke, and what has been seized have been sold, they cant call that trade, all this has been done by others for me, soe that it has taken up noe part of my time, these are what I can learne, except what the Assembly mentioned about Mrs. Hastings, which I thinke suffitiently answerd by the Councill and myselfe as apeares by the minutes, but if your Lordshipps thinks not, I will be at the charge of sending the Towne Platt, and the Law and 40 depositions to justifie me as to that. They may make what articles they please, they may say I have cloven feet and 20 other things, but I am soe very confident of my actions both publicke and private, that I am very sure I can answer to your Lordpps. everything alledged against me, I desire only a faire tryall, after that I have noe doubt but I shall be justified, and that twill be mad apear I have taken more pains to see justice done and in makeing workes for theyr defence then any of my predecessours. And had it not been for this faction, myselfe and the whole Island's had been very happy, if I shou'd be removed, 'twill be the same thing wth. my successour, lett whoe will come. I have defended myselfe much better then Sir William Mathews, he had noe honey-moon, for he was scarce a month before they quarrell'd with him, and perfectly broke his heart. I have with a great deale of care kept myselfe quiet for two year, Coll. Codrington was exasperated more then ordinary because I had orders from my Lord Treasurer to sue him for a great summ paid him for prizes last warr, and had Mr. Parkhurst delivered me the originall papers, I had recover'd it of him before now. I had them sent by this packett, and now he is in Barbados, if he comes downe I don't doubt but recover it, soe that 'tis worth his while be at some expense to remove me. The Councill advised me to gett Gent. of the Countrey to signe an adress in my behalfe, and has engaged for every one that has signed articles against me, three wou'd signe for me, which I refused, for it lookes like apealing to the people. I thought if they themselves gave it me under theyr hands, 'twould not be amiss. The which I here send you. I depend upon my own inocency more then anything else, the Councill have sent a letter to the Agent to the same purpose, a duplicate of which I alsoe send, here is alsoe an Address, which we desire may be presented. *Signed,* Daniel Parke. 6 *pp. Endorsed,* Recd. Nov. 25th, Read Dec. 7, 1708. *Enclosed,*

116. i. Deposition of Major Samuel Wickham. Edward Perrie, Commissioner of Customs, explained to him, as a Member of the Assembly, that the Articles of complaint against the Generall were being prepared secretly,

in order that he might not be able to make too great a defence *etc.* *Endorsed*, Recd. Nov. 25, 1708. *Copy.* 1 *p.*

116. ii. Address of the Lt. Governor and Council of Antigua to Governor Parke. *Express* surprize and concern at the many attempts being made to secure signatures to an Address and Articles of complaints against H.E. The particulars are kept secret. But none could know the transactions of H.E. better than the Council, who do not know of any male administration he has committed. The proceedings of these people has much disturbed the Government and divided the Island into factions, *etc.* St. Johns, Antigua, Aug. 24, 1708. *Signed*, John Yeamans, Jno. Hamilton, Edw. Byam, Will. Codrington, Thomas Morris, Geo. Gamble, Will. Byam, Law. Crabb. *Endorsed as preceding.* 1 *p.*

116. iii. Same to Richd. Carey, Agent for Antigua. Directing him to oppose the Articles intended to be exhibited against Governor Parke *as in preceding.* *Signed and endorsed as preceding.* 3 *pp.*

116. iv. Address of the Governor, Lt. Governor and Council of Antigua to the Queen. Congratulate H.M. on the defeat of the late attempt on H.M. Kingdoms by the French King under the masque of the pretended Prince of Wales. *Signed*, Daniel Parke *and as preceding.* *Same endorsement.* 1 *p.* [*C.O.* 152, 7. *Nos.* 65, 65. i.-iv.; *and* (*without enclosures*) 153, 10. *pp.* 230-239.]

Aug. 24.
Antigua.

117. Governor Parke to the Council of Trade and Plantations. I herewith send your Ldpps. the remaining Minutes of the Council and Assembly of Antigua, with the coppy of the Law they were so angry I would not pass, by wch. I have lost my last years sallary for house rent. Your Ldpps. will see by their Law for previlege they would both imprison and fine anyone that should reflect on any one of their House, but any of the Council, the Lt. Governor, or myselfe might be reflected on with impunety: I offer'd to pass these laws if amended, provided there might be a clause that they should not take place untill yr. Ldpps.' aprobation were known, wch. is pursuant to my Instructions, for I take this to be a law of an extraornary nature. This has been Col. Codrington's masterpiece, he settled this matter with his friends before he went to Barbados, and by every packett and all other opertunetys they have communicated their thoughts to each other, when they dispaired of getting any advantage off me by my misbehaving myselfe in the Post I am in; they therefore put the Assembly uppon desireing such Laws wch. if I past, I should incurr the Queen and yr. Ldpps. disfavour, and if I did not pass them, I should be paid no House rent, and the people told I was going to take away their previleges: they went so farr as to send me a message that they would pass no law except I would lett their Speaker have the negative voice, wch.

if I had granted, I ought to have been hanged. There are but three people are the chief actors, the first is one Mr. Perrie, who is Commissioner for the $4\frac{1}{2}$ p.c., he and his brother John Perrie, who is in London, were raised by Col. Codrington's father, I had also the misfortune to disoblige Mr. Ed. Perrie because I would not displace the Collector, who is an honest man, to put in his kindsman, who has not that charecter. The second is Mr. Tankard, yt. was of the Council, he is to be Lt. Governor if Codrington comes back Genll. The third is Coll. Will. Thomas, who Mr. Baron made his Attorny to sue Coll. Codrington, and had all the encouragement possible from me to do it, he has now accomadated wth. Col. Codrington, and has never so much as sued him, he is to be Treasurer. Your Lordshipps may see by this how hard it is for anyone in England to gett justice done them here. Mr. Baron in allmost six years has not been able to procure any one to sue for him; I shall not trouble your Ldpps. wth. makeing any other observations on the Minuts, when they have been read if your Ldpps. will communicate to me where I have acted amiss, I shall readely obey your Ldpps.' orders in amending for the future what falce stepps your Ldpps. may think I have made; I have allwais according to my Instructions acted no one thing without the Council, not so much as a decree in Chancery but has gone as they have advised me. When I writ to your Ldpps. that I thought vessells ought not to be seized uppon every trifling occasion, I did not think I should be so misunderstood as yt. I would not seize notorious illegall traders; for I have orderd two slupes to be seised for bringing Hollands *etc.* from Curacoa, both belonging to Mr. Ed. Chester, for wch. he has declaired he would be content to ley seven years in Hell to be revenged on me, therefore I have no doubt but his brother, Mr. Robt. Chester, will at yr. Lordshipps' board appear very zealous against me; Uppon a fair hearing I have no doubt but to appear very innocent as to any crime they or any others can charge me with; 'tis very true that the best of actions may be sett in an ill light, and 'tis an easy matter to rais a claymour against the best of men; I am very sure to make it appear uppon a fair tryall that I have not done any one thing but what I am warranted eighther by my Instructions or the Laws of the Islands. Tho' after the petition of Mrs Bowden (that notorious woman) what may I not expect (?), all that ever I had to do with her was so publickly in the face of the sun that she of all people I thought [she] would have said all manner of good things of me. I had nothing of her but what I bought very dear, being vallued by her own friends at her request and before the best people of the Island; I gave her bills of Exchange and took her receipt in full of all demands, and after this to put up a petetion to the Queen that I had cheated her of a vast sume, four times more than ever she was worth; all that ever I had of her she shall have for the same mony I gave her whenever she pleases. I am told her brother, Coll. Lillingston, was the auther of it, in hopes to gett my post, wch. with his Regiment would have prevailed with him to come to the West Indias, others tell me she did it to make people believe she had an estate here in hopes to draw in some rich widdower, I know not the true reason, but sure I am there never was so scandelous a petition given to a Crownd head that had no truth in it. I have sent to my Agent Mr. Perry all the proceedings I had with her, and the deposetions to the truth of it, wch. he will lay before your Lordshipps, wch. I hope may justifie me before the Queen and Council and your Ldpps. I think myselfe obliged to sett Mr. Crabb right with your Ldpps.; I was myselfe a stranger to him and his charecter was given me by those yt. wished him ill. I find him to be an honest Gent. and one that has a good estate. *Signed*, Daniel Parke. *Endorsed*, Recd. Nov. 25, Read Dec. 7, 1708. 4 *pp.* *Enclosed*,

117. i. Copy of a Bill of Antigua, for ascertaining the elections and privileges of the Assembly, *referred to in preceding*. *Endorsed*, Recd. Nov. 25, 1708. 3¼ *pp.*

117. ii. Copy of above Bill as amended by the Governor and Council. *Same endorsement.* 2¼ *pp.*

117. iii. Amendments of the Governor and Council of Antigua to above Bill. *Same endorsement.* 2 *pp.*

117. iv. Copy of an Agreement between Governor Parke and Mrs. Bowden for the purchase of her negroes *etc.* in St. Kitts, Sept. 5, 1706, with her receipt, and affidavits of Michael Lambert, Hen. Burrell, Stephen Payne, James Rawleigh, and Caleb Rawleigh relating thereto. *Endorsed*, Recd. Nov. 23, Read Dec. 8, 1708. 5 *pp.* [*C.O.* 152, 8. *Nos.* 1, 1. i.-iv.; *and* (*without enclosures*) 153, 10. *pp.* 240-245.]

Aug. 26
Custom-house,
London.

118. Mr. Savage to Mr. Popple. Desires copies of letters from Lord Bellomont, 1700, and affidavits by Messrs. Usher, Brid(g)er, and Wiberd (1702-3) relating to Mr. Partridge and the export of timber from New Hampshire to Portugal and Spain. *Signed*, Richd. Savage. *Endorsed*, Recd. 27 Aug., Read Oct. 26, 1708. ½ *p.* *Enclosed*,

118. i., ii. Memoranda of documents required in above. 2 *pp.* [*C.O.* 5, 864. *Nos.* 238, 238. i., ii.]

Aug. 26.
Custom-house,
London.

119. Mr. Savage to Mr. Popple. The Commissioner of the Customs have, pursuant to the directions of the Lord High Treasurer, appointed Mr. Archbold Cummings an officer in Newfoundland to prevent illegall trade there. And when a Court of Admiralty shall be erected there, and some fitt and able person impowerd to hear and determine causes on informations of seizure pursuant to the severall Acts of Trade, they will send him their Commission and Instructions. *Signed*, Richd. Savage. *Endorsed*, Recd. Aug. 27, Read Oct. 26, 1708. ¾ *p.* [*C.O.* 194, 4. *No.* 75; *and* 195, 5. *pp.* 59, 60.]

1708.
Aug. 28. **120**. Receipts of Mr. Popple (Aug. 28) and Josuah de Kocherthal for £10, and of Herman Schuneman, Sept. 1st for £20, on account of the German Refugees. (*cf.* July 4.) *etc.* *Copies.* 2 *pp.* [*C.O.* 5, 1049. *No.* 94.]

Aug. 28. Windsor. **121**. H.M. Warrant for Wm. Bird to be of the Council of Virginia. *Countersigned,* Sunderland. [*C.O.* 5, 210. *p.* 114.]

Aug. 28. Windsor. **122**. H.M. Warrant for John Peeke to be of the Council of Jamaica. *Countersigned,* Sunderland. [*C.O.* 5, 210. *p.* 114.]

Aug. 30. **123**. Col. Römer to the Council of Trade and Plantations. *Reply* to Aug. 17th *etc.* When I was taken by privateers and carried into France, I flung overboard my draughts, papers and schemes, (of mine above nine years service). I know no new Castle, or a new one to be built, but Fort Wm. and Mary. It's true I once propos'd att Little Harbour a strong stone redoubt, *etc.* I am humbly of opinion that Fort Wm. and Mary should first be finish'd, because the greatest part of material are to that end left there at hand, and might have been donn then for £100 upon such dispositions as the Assembly had made, wch. was that the Militia was to worck twelve dayes by turnes for their victuals only, and whereas the Governour would by no means give me leave to do it, because I was reliv'd by Capt. Redknap, and likewise by an excuse that there was no money in ye Treasury, neither was there any to be risen, wherefore I offer'd to do it out of my own estate, but could not prevail with the Governour. I realy think it of the highest necessity that Fort William and Mary should be finish'd according to my designs and profils, wch. I sett forth and left behind me, and so donn, they would not be expos'd as they are now, because the fishermen in going with their shalops to sea, and in returning home, lay under the rocks of the Fort, go on shoare, steal the aprons of the guns, so likewise an enemy may come and pin up all the guns, wch. would be of dangerous consequence, they likewise neglect to lay the chevoux de frises order'd in case of surprise, and to finish them as they are begon. There is no regular centinell sett out, haveing only an allowance of four ordnary men for the whole garison, and in my time upon application made to ye Governour there was order'd for a few dayes 16 men in time of some danger, then did the People universaly complain (without consideration) of the hardship, wch. occasion'd their being drawn off, and the fort was againe guarded as before by 4 decrepid men, and those seldom on their duty as they should be, *etc.* The powder demanded seems to me extraordinary and surprising, unless they intend to merchandize therewith, because I am certain the powder-house will not contain that quantity, and I cannot imagine what use they can make of so much powder, when I consider what quantity they receive yearly from the shippin wch. comes to the Province *etc.* What further is demanded, I must confess that H.M. Garisons have

1708.

no occasion for such a quantity *etc.* *Proposes necessary stores. Set out,* Acts of Privy Council, II. *pp.* 573, 574. Concerning the money part, I know ye Province is poor, and I belive that without H.M. assistance the fort Wm. and Mary will not be finish'd *etc.* A boat for H.M. Collector is highly necessary. The fort, barracks, guard-house, officers' house centry boxes and necessary house may be finish'd for £200 sterl. *etc.* *Signed,* Wolfgang W. Römer. *Endorsed,* Recd. Aug. 31, Read Oct. 26, 1708. 5 *pp.* *Enclosed,*

123. i. List of guns and stores required for New Hampshire. 2 *pp.*

123. ii. List of Stores of War at Fort William and Mary and Newcastle, Sept. 29, 1707. *Signed,* Shadrach Walton, Capt. 1 *p.* [*C.O.* 5, 864. *Nos.* 239, 239. i.-ii.]

Aug. 30.
Barbados.

124. Governor Crowe to Tho. Hopkins. I have not been honoured with any of yours since my last of May 19; by the *Lucitania* Capt. Wentworth I have sent in a casque directed to Mr. Tryon two dozen of citron water, which he will take care to deliver, and I humbly begg your acceptance thereof. I hear there is a long catalogue of complaints to goe home against me this fleet. I hope they will make no impression on my Lord Sunderland, untill I have an oppertunity of vindicateing myself, *etc.* *Signed,* M. Crowe. 1 *p.* [*C.O.* 28, 38. *No.* 72.]

Aug. 30.
Antigua.

125. Col. Jones to [? *the Earl of Sunderland*]. *Returns* thanks for recommending him for the command of Col. Lillingston's Regiment, *etc.* *Signed,* Ja. Jones. *Endorsed,* R. Nov. 25. 1 *p.* [*C.O.* 7, 1. *No.* 18.]

Sept 3rd.
Barbados.

126. Messrs. Sharpe, Walker and Beresford to the Council of Trade and Plantations. Upon the arrival of our present Governor, Mr. Crow, we had reason to believe from the foundation we had lay'd dureing the Presidency, the Factions and Partys that had so long and so unhappily divided us were well nigh over. Most men were inclinable to be quiet, and to agree upon a general amnesty for their former heats. But H.E. has from his first entering upon the Government been so far from endeavouring or proposeing an accommodation, that he has only added warmth and violence to our animositys by countenancing and cherishing sometimes one party, sometimes another, by turning in and out most of the chief officers of the Militia according to the humour of the party he happens to be embarqued with, by rejecting the advice and aid of the Council, by determineing causes himself cognizable only in H.M. established Courts, and by imprisoning and oppressing H.M. subjects contrary to Law. This his insufferable behaviour oblig'd us to draw up the inclos'd Representation, containing a few instances of his mismanagement out of a multitude we could produce, which we presented to himself in person, at the same time acquainting him, we were ready to justifie and prove

1708.

the truth of every fact therein alledged, tho they were too notorious to need any confirmation. It's with the greatest concern, my Lords, we find ourselves under this indispensible necessity of transmitting complaints from a Colony that has already given your Honourable Board so much unnecessary trouble. We humbly assure your Lordships that nothing but the just sense we have of our duty to H.M. and the good of our Cuntrey could ever have engaged us in so unnecessary and troublesome a procedure, and if the free and impartial advice we took the liberty to give H.E., both in and out of Council, could have prevailed with him to alter his measures, or if there were any prospect of his being made sensible of his errors, we should not have disturbed your Lordships on this occasion. We could not but foresee from the arbitraryness of his temper that the presenting him such a free censure of his behaviour, would provoke him to remove us from the Board, and misrepresent us to your Lordships, but our duty constrain'd us to that course. We have done what we thought was incumbent upon us *etc.* *Signed,* Wm. Sharpe, Alexander Walker, Saml. Beresford.

P.S. Sept. 6. Since we deliver'd the inclosed Representation to H.E., he has conven'd the Assembly, and very ungenerously given them an imperfect abstract of some parts thereof, on which without the least proof or any farther enquiry, they have come to several very violent and scandalous resolves against us, by which your Lordships will please to observe both the temper of the Gentlemen, and the mutual combination there is betwen them to oppress all those that are inclinable to enter into fairer and more honourable termes than themselves, and tho' several members of the Assembly moved that the whole Representation shou'd be layd before them, before they proceeded to pass scandalous votes and Addresses against the Members of H.M. Council, whose oaths and duty oblige them to advise the Governour, but they were so far from consenting to so reasonable a motion, that they even refus'd to let a minute thereof be entred in their Books, contrary to the constant rules and practice of that House. The Addresses were brought by the Speaker ready drawn into their House, as by the minutes of ye Assembly will appear, put to the vote and carryd by a majority without suffering any previous question to be put, tho often prest by several of the Members; we have not yet been able to get a coppy of the Address, and the Fleet being just now ready to sayl, your Lordships can expect no observations on it by this opportunity. We are, my Lords, very far from opposeing any acknowledgements to those noble persons to whom the presents given by the Assembly are said to be design'd, but what it is, my Lords, that we think we have very great reason to resent, is that they shoud dispose of the publick money without our approbation and privity. *Signed,* Wm. Sharpe, Alexander Walker, Sam. Beresford. *Endorsed,* Recd. 17th, Read 19th Nov. 1708. 5 *pp.* *Enclosed,*

126. i. Representation by Messrs. Sharpe, Walker and Bereford to Governor Crowe. Barbados, Aug. 27, 1708. H.M. having been pleas'd to appoint us, the underwritten, Members of the Council here, we had reason to hope your Excellency would, in these times of general dissatisfaction have called us together as such, that we might have discharg'd our dutys in that station by giveing your Excellency faithful and wholesome advice; But since your Excellency has adjourn'd the usual monthly meetings of that Board without our knowledge, and yet at the same time suffer'd ye Assembly to meet and act without us, contrary to ye practice and end of Legislatures, we think ourselves oblig'd to make this Representation, least by our unwarrantable silence at this juncture we should be thought to approve your Excellency's unhappy measures. And first we represent to your Excellency, that it is the undoubted right of H.M. Council here, in conjunction with your Excellency, to determine all writts of error, grievances and equitable causes, that they are an essential part of the Legislature, and ought to be advised and consulted with by your Excellency undoubtedly in the disposal of all Civil Offices, and in prudence at a General's first arrival in ye Military, and generally in all things which concern the legal and orderly administration of ye Government; for which ends chiefly H.M. and her Royal Predecessors have thought fit to establish a Council here. (2) That your Excellency, in permitting ye Assembly to meet and act when you adjourned the Council, and to proceed without us to appoint persons in England to sollicit the affairs of this Island, has, as far as in you lay, debarr'd and excluded the Council from that right, and this disuse of Councils, since H.M. gracious restoration of some of us, whom your Excellency had displaced, is ye more remarkable, if compar'd with ye frequent meetings of that Board when ye same mostly consisted of Members appointed by yourself. Your adjourning the Council has been already attended with this dangerous consequence, yt. the traders to this place are allarm'd with the dreadful apprehensions of another Paper Act. (3) Your Excellency has taken upon yourself out of Court to set aside Orders solemnly resolv'd and made in the Court of Chancery; as in ye case of Mr. Mannasses Gillingham, and Butler his wife, formerly Butler Chamberlain, who appealing from a decree of ye Court in a suit for several negro slaves; the Order of ye Court was, that warrants of appraisment should issue to discreet persons to appraise the negroes, and yt. if their value amounted to £500, an appeal should be granted. The said warrants did issue and ye negros were by gentlemen of ye most

1708.

considerable estates in the parish valued at £500 and upwards, notwithstanding which your Excellency, alone and out of ye Court of Chancery, did set aside ye said appraisment, and deny Gillingham his appeal. This appears more arbitrary and illegall, when we consider yt. in a case of Mr. Bate's which came before your Excellency and Council, a day or two before, you declared your opinion that an appraisment once made could not be set aside; and what makes the proceedings of your Excellency in this case yet more partial and unjustifiable is, that your Excellency, who was party complainant in this very suit against Mr. Gillingham and his wife, had yourself decreed for yourself against them, and yet took this way contrary to your own declared opinion to deprive them of an appeal to H.M. from your judgment in your own favour. (6 (*sic*)) Your Excellency has assum'd to yourself a power of acting in some cases as sole Chancellor, and in others as you, in conjunction with the Council, are a Chancery, and this in one and ye same day, and sitting the same Court, as in ye case of Shetterden against Lyte upon a demurrer. The Court then consisted of your Excellency, and five Members of ye Council; ye Court was equally divided; and yet your Excellency, whose vote made the Division equal, as sole Chancellor gave judgment against the demurrer, and order'd the demurrer to be overul'd. Immediately after, a Cause comeing on, in which one of the said Members, Mr. Colleton was a party, he of course arose from the Board, and then there being only four Members with your Excellency, whereas ye practice of that Court requires five and the Governour, your Excellency put off ye hearing ye same, declareing there was no Court for that Cause; so yt. your Excellency in one and ye same day has declar'd yourself Chancellor, and not Chancellor. What fatal consequences may we not expect from inconsistency and uncertainty in so high a Court? (7) Your Excellency has as a Chancellor kept one Cuthbert Mitford in prison above one year by vertue of a ne exeat insulam, altho' he has fully answer'd and deny'd upon oath the suggestions of ye Bill brought against him, and no proceedings but dilatory motions for renewing Commissions have been on the plaintiff's part in the said cause; and what makes this yet a higher violation of ye subjects' liberty is, that you are yourself party complainant in ye said Cause. Your Excellency has not only innovated in the Chancery; but haveing rented ye office of your private Clerk or Secretary for an excessive annual summe, which the legal ffees could not raise, two methods have been fal'n upon to effect it; exacting ffees from Plaintiff and Defendant, and takeing cognizance, by way of petition, of matters cognizable alone in H.M. Courts of Law or Equity; as in ye case of Mr. Somers, where ye matter in dispute was a promisary note, which your Excellency commanded should be paid on pain of imprisonment; in ye case of Bampfield and Waterman, where you order'd several negro slaves to be surrender'd on ye same pain. Your Excellency cant but be sensible many more instances then these can be given, where you have taken upon you at your own House by way of petition, to give judgment in cases of debt and other cases of meum and tuum, all wch. we protest against as illegal infringments of our rights as Englishmen, who as such have not only a right to justice, but also to the establisht legal method of distributeing it. That when your Excellency has by way of petition call'd up H.M. subjects from all parts of ye Island, the very defendants are oblig'd to pay for ye dismissions of ye petitions against them, and this when, on the very face of ye petitions it appears even to yourself that you have no cognizance of them. (8) In order to encrease ye busines of your private office, you have assum'd to yourself ye power of putting a stop to proceedings at Common Law, upon executions after judgment upon the bare suggestions of ye party in his petition, as in ye case of Mr. Walter against Mr Gibbes. Your Excellency, on ye petition of Mr. Gibbes, stopt ye proceedings of the Marshal upon the execution, without any proof of any irregularity, and, which is more grievous, upon hearing the said petition, altho the Marshal produced the Records, whereby it appear'd he had acted according to law; yet your Excellency continued ye stay of proceedings, which Mr. Walter's Attorneys appealing from to ye Court of Grievances holden by your Excellency and Council, your Excellency was so conscious of haveing acted arbitrarily in this matter, yt. without any farther proof on either side then what was before you on your private hearing the same, you took off ye stay of proceedings, alledging it had another face when formerly before you, tho James Cowse Esq., Counsel at Law, to whom you appeal'd, declared to your Excellency it appear'd alike on both hearings. (9) Your Excellency has not only assum'd to yourself this power in ye case of private persons, but also where ye Queen has been party, by which means the casual Revenue may be very much impair'd; as in ye case of Mr. Arnold and Mr. Grey; against whom a considerable recovery was had upon the behalf of H.M. in ye Court of Exchequer, but when ye Marshall went to levy for satisfaction of ye same, he was stopt by yr. Excellency's order, and this too after it had been publickly discourst yt. ye negroes of one of those gentlemen had

1708.

done your Excellency considerable service in your plantation. (10) Mr. Walters haveing made a recovery which affected the estate late Mr. Farmer's, was proceeding to obtein satisfaction, when he was stopt by your Excellency's order on the bare suggestions of Mrs. Herbert in her petition, yt. she claimed dowre out of ye said estate. This stop lasted some time, and then the party dismist her own petition, which was all ye relief Mr. Walter could obtein for that unjust delay. If any man is aggriev'd by any error in ye Courts below, our Laws give him a writt of error; If any man has equitable matter for his relief, ye Court of Chancery gives him an Injunction; in these cases ye recovery is well secured, and ye party griev'd will have his costs; But in this new way your Excellency has found out, you take upon you to stop proceedings without secureing the recovery. You harass ye Queen's subjects by calling them before you from all parts on suggestions of facts, which, if true, cannot be determined by you; and when at last after all their attendance and expence they can procure a dismission, they must themselves pay ye fees for it, and yet your Excellency can give them no cost. (11) As ye establishment of this petitioning Court in the manner above is wholly new, so in the establisht Courts of Justice, your Excellency has taken upon you to innovate; when your Excellency was pleas'd to sit as Chief Judg of ye Court of Grand Sessions, immediately after your arrival; a Bill of Indictment haveing been preferr'd to ye Grand Jury at ye Queen's suit against Mr. Sandford, wherein Mr. Cox was prosecutor in behalf of H.M., when the Attorney General desired the prosecutor might be sworn to give evidence to ye Grand Jury; your Excellency, tho ye same be according to law, deny'd it, and at ye same time was pleas'd with a great deal of good nature without any mocion by ye prisoner, to call for his evidences, and order them all to be sworn to give evidence to ye Grand Inquest on ye prisoner's behalf. (12) Your Excellency has in ye Courts of Chancery, Error and Grievances brought the impartiality of your judgment very much in question by accepting considerable presents from persons haveing suits depending in those Courts; as in ye case of Mr. Slingsby and others. (13) Your Excellency has obtein'd the summe of £500 to provide yourself another house; notwithstanding which your Excellency and family have still had your constant residence in the same, under a rent paid by ye publick, over and above ye said summe. (14) Your Excellency in the capacity of Ordinary has taken upon yourself to imprison H.M. subjects for supposed comtempts in not obeying illegal and arbitrary orders made by your Ex-

1708.

cellency as Ordinary; and that too in cases where such orders have never been served upon the party committed for breach of them; and when the prisoner has with great difficulty obtain'd to be bail'd on such committment, upon entering into security to appear at ye next Court of oyer and Terminer; your Excellency, conscious of the illegality of such your committment, has not only without ye applycation of the prisoner, but even contrary to his earnest desires, order'd a nolle prosequi to be enter'd, as in the case of Mr. Buckworth, sole Judg of H.M. Court of Admiralty here. (15) Your Excellency has also imprison'd H.M. subjects for supposed contempts of your extrajudicial orders, and has kept them in prison several weeks without bail or mainprize, till they have been necessitated to lay down offices of considerable yearly value thereby giveing your Excellency an opportunity of conferring them upon your own creatures, as in ye case of Mr. Small. (16) Your Excellency has taken upon you to impose new, arbitrary, and illegal oaths, extrajudicially upon H.M. subjects, threatning them with imprisonment in case of refusal; as in ye case of Mr. Godfrey, whose wife discovering a jealousy of him to your Excellency, you thereupon, without any proof, obliged him to swear never more to speak to ye party suspected; and to Mr. Baron, upon a suspicion you had of your secrets being discover'd, you administer'd a general oath to answere all such questions as you should ask, without limitation to any subject matter. This we cannot but look upon as a sort of Inquisition, and as one of ye greatest infringments of the English Libertys. (17) Your Excellency has greatly discourag'd trade in threatning to seize merchant ships, and sending persons on board for that end without any cause, as you tacitly confest by proceeding no farther on such occasion; as in ye case of the Royal Affrican Company's ship, the *Sherborough*. (18) You have also oblig'd all masters of ships to have their petitions to you for leave to sail drawn by your own Clerk, even in cases when they have already had them drawn by others, so yt. they have doubly paid for the same, which is a heavy burthen upon trade, of which ye Masters of the several ships now bound out are so many instances, and of which they make just and heavy complaints, as contrary to a solemn Order of Council made on the like occasion. (19) Your Excellency is very much lessen'd in the esteem of H.M. good subjects by several times solemnly and publickly denying you ever design'd Mr. Cleland for Lt. Governour of this place, when he as publickly gives out and shews your Excellency's letter assureing him of the same; wch. if you were not sensible was true, it might be reasonably presumed you would have called

1708.

him to a legal account for the same. (20) Your Excellency, at a time when the Publick was in great want of money, and the inhabitants unable to pay a tax, did by frequent adjournments and other methods prevent ye passing of the Excise Bill the last Assembly till their time expired; and before ye present Assembly could meet and prepare another Bill for that purpose, great quantitys of exciseable liquors were imported, by which the Publick lost a considerable summe. (21) Your Excellency has made so many suddain and unaccountable alterations in the Militia, yt. many of our best men are unemploy'd, and for no other apparent reason, then their not being of the prevailing party; whereas your Excellency can't but be sensible, yt. ye way to quell our factions, and so put an end to our divisions, would be to prefer all men of merit indifferently, without any regard to a party; that H.M. subjects may find virtue, and not listing themselves under this or that leader, the best way to preferment. (22) Your Excellency has given a Brigadeer's, and a Cheif Judge's Commission to two Gentlemen after you had declared one of them a hot-headed fellow, fit only to breed disturbance; and ye other a beggarly fellow, more in debt then he was worth. If these were not your Excellency's real sentiments of these Gentlemen, you did them ye highest injustice in representing them under such disadvantageous characters, and gave all men too just grounds to believe, you would have but little regard to your Instructions, when any prevailing passion came in competition; and if your Excellency was of opinion they deserv'd ye character you gave them, then we leave your Excellency to consider, whether in disposeing these posts, you have well discharg'd ye trust reposed in you by H.M. But we cannot forbear telling your Excellency, your illegal dispensing with ye Law in Mr. Holder's case had subjected you to ye complaints of the Assembly, who like faithfull patriots were about representing your illegal proceedings to H.M.; to prevent which you were contented to prostitute ye dignity of ye Government, and to sacrifice the publick good to your private safety. Sr.,. we think it our duty to lay this representation before you; we design farther to send ye same home to the Lords Commissioners for Trade and Plantations. In ye mean time, your Excellency will please to make such use of it as you see proper. P.S. Sept. 1st. The foregoing representation is what wee had prepared to lay before your Excellency in Council yesterday, being Council day of course, but we were prevented from doing it by your summoning ye Council to meet the day before, and even then adjourning the same for a month, as soon as you had sworn Mr.

Pilgrim a Member of that Board, without affording us time to enter on ye consideration of ye publick affairs. We were then very much surprized at this proceedure, but are more so this day, when we find your Excellency has permitted the Assembly to meet and prepare Addresses to H.M. of very great concern to the Publick without giveing us an opportunity of declareing our approbation or dislike of the same. We are sensible this is intended to affront the Council, and represent the same as insignificant and useless in H.M. Government. But our surprize did not end here. We find you have not only put this slight upon us, but have also permitted the Assembly yesterday to dispose of ye publick mony in presents to private persons without our consent or priority. This we can't but look upon as an assuming the Legislature solely to themselves, contrary to H.M. Instructions. Wee are sorry we should be forc'd to lay before your Excellency here and the Council of Trade and Plantations at home, so many miscarriages in the management of the publick affairs. But we are sensible it is what our duty obliges us to, and therefore needs no apology. *Signed*, Wm. Sharpe, Alexander Walker, Saml. Beresford. *Endorsed*, Recd. 17th, Read 19th Nov. 1708. 5¾ *pp.* [*C.O.* 28, 11. *Nos.* 22, 22. i.; *and* 28, 38. *Nos.* 73, 73. i.; *and* (*without enclosure*) 29, 11. *pp.* 313-318; *and* (*enclosure only*) 319, 1. *pp.* 93-101.]

Sept. 4.
Windsor.

127. The Queen to Governor Parke. Whereas in compassion to the distrest estate of our subjects in Nevis and St. Christophers, whom the depredations of the enemy and a late hurricane have almost reduced to ye utmost extremity, We have been graciously pleased out of our Royal Bounty to order a supply of provisions of beef, pork and flower, as also 50 barrels of nailes of several sorts, together with bolts and hinges for the building their houses to be sent to them, and that the same should be consigned to you. Our further will and pleasure is, and We do hereby strictly charge and command you that, as soon as you shall have received the said provisions, nails and other things abovementioned, you distribute the same, or cause them to be distributed by the Lieutenant Governors of our said Islands to the inhabitants thereof in proportion to their wants. In the doing of which you, or our said Lieut. Governors in your absence, are to take ye advice of our Council and Assembly in each of ye said Islands respectively to the end the said distribution may be performed in the most just and equal manner possible, and no part of our said bounty may be embezeled or misapplyed, but that our charitable purpose and intention in this behalf may be effectually complyed with, which wee earnestly recommend to your care, and shall expect from you a particular account of your proceedings herein. And for so doing, this shall be your warrant, *etc.* *Countersigned*, Sunderland. [*C.O.* 5, 210. *p.* 115.]

1708.
Sept. 5.
Windsor.

128. The Earl of Sunderland to Governor Lord Lovelace. Having a very good character given me of Mr. John Riggs, a Lieutenant of one of the Independant Companys in New York, I take the liberty to recommend him to your Lordsp's. protection. Your favour to him in any occasion that may offer for his advantage will particularly oblige, my Lord, *etc.* *Signed,* Sunderland. [*C.O.* 5, 210. *p.* 116]

Sept. 6.
Barbados.

129. Governor Crowe to the Council of Trade and Plantations. *Refers* to enclosed duplicate of his last letters and papers. Messrs. Sharp, Walker and Beresford has lately deliver'd me one of a very extraordinary nature, wch. I have not had time to answere by reason of the great hurry I have been in on the ffleet's sailing, they tell me they will lay the same before yr. Lordshipps, where I hope it will make no impression till the next oppertunity, when I shall vindicate myselfe, so as I hope will be approv'd off by your Lordshipps. I humbly recommend the Generall Assembly's inclos'd Address to your consideration. *Signed,* M. Crowe. *Endorsed,* Recd. 16th, Read 19th Nov., 1708. 1 *p.* [*C.O.* 28, 11. *No.* 21; *and* 29, 11. *pp.* 311, 312.]

Sept. 7.
Whitehall.

130. The Earl of Sunderland to Governor Parke. I send you enclosed H.M. Letter concerning the disposal of the provisions, nails *etc.*, she is graciously pleased to send as Her Royall Bounty to the poor inhabitants of Nevis and St. Christophers (*See* Sept. 4), by which you will observe that H.M. is very earnest to have the same equally distributed and duely applyed in which H.M. is the more pressing because of a surmise that the provisions wch. were sent on board two ships that arrived in those parts some time since were not so regularly disposed of as they might have been, but I hope you will take such care of those which are now sent as may prevent any complaints of this kind for the future. *Signed,* Sunderland. [*C.O.* 5, 210. *p.* 119.]

Sept. 7.
Maryland.

131. Governor Seymour to the Council of Trade and Plantations. This serves to accompany the Laws and severall Journalls now transmitted your Honble. Board by Commodore Huntington, and to acquaint you, that on June 14, and not before, I had the honour of your Lordshipps' commands in your letter of May 7, 1707. Wherein your Lordships were pleased to signify, that an Act of Parliament had past in England for the Union of H.M. two Kingdoms of England and Scotland into one by the name of Greate Britain. Whereupon, with the advice of H.M. Councill here, I issued a Proclamation to the severall Countys of this Province for proclayming the same: And at this place, being the seate of Government, on July 18, having ordered severall troops of the Militia to review, and invited the best of H.M. subjects here to the handsomest entertainment the country would admitt me to make them, we proclamed H.M. Queen of Great Brittain, the Act of Union being read on the Courthouse Hill, after which H.M., H.R H. and many other good loyall Healths were dranke, and the gunns on our plattforme, as well as those of the ships in the Severne River here, discharged, to the great joy and pleasure of H.M. subjects. I had likewise presented to me four severall letters under H.M. signett and sign manuall, commanding me to admitt and swear of H.M. Councill here, four Gentlemen, to witt, Col. John Contee, Mr. Seth Biggs, Mr. Samuel Young, and Col. Thomas Greenfeild. Coll. Contee and Mr. Samuel Young had been sworne some little time before, for want of Councellors, being under the number of 9, and on Aug. 16 Col. Greenfeild was admitted and sworne, and at the same time, with the advice of the fullest Board I could procure, I was obliged to sweare Mr. Philip Lynes, whom I have heretofore mentioned to your Lordships, for want of Councellours; Col. Contee and Mr. Biggs being both dead since H.M. appointment, and Col. Francis Jenkins, who is now President at the Boarde, being very ancient, often indisposed, and residing at so vast a distance, to witt, the extream parts of Somersett County, on the other side of the Bay, that I can never gett him on any emergency till the Councill is over; Wherefore to compleate the number of Counsellours, there being only 8 resident; here besides Mr. Lynes, I humbly present to your Lordshipps the names of four Gentlemen of good reputation, integrity and ability, that is to say, the said Mr. Phillip Lynes, Col. Thomas Addison, Mr. John Hall and Col. William Whitington, if you please to recommend them to H.M. for her appointment. Your Lordships' letter of Dec. 30, 1707, with H.M. circular letter, requiring the Counsellours in the Plantations diligently to attend H.M. service in the respective Councills, of which they are Members, were read in Councill, and H.M. said letter recorded in the Journall thereof. As for your Lordships' letter of March 6 you mentioned, I have not had the good fortune to receive it, but am to acknowledge the receipt of H.M. Order in Councill of Aprill 1st, 1708, declaring 2 Acts of the Generall Assembly of this province to be repealed, *etc.*, which were read at the Board and publique notice given of the said Laws being repealed. And Sir Symon Harcourt's report concerning Sir Thomas Larance *etc.*, with H.M. Order thereon, being read to H.M. Councill here, wee have resolved to recommend it to the next Generall Assembly with the most pressing arguments and motives we can use to perswade them to comply with H.M. Royall pleasure. And for your Lordships' truer information of the value of those lycences; in obedience to your commands, I have procured the best account I could, and have inquired into their reall value, on which occasion I had the advice of the greatest traders here, and especially Mr. Amos Garrett, who is one of Sir T. Laurence's Agents, and am informed that Sir Thomas's calculation is soe extravagant, that it is almost two thirds more than what they truely amount to, the said Mr. Garrett and others not valuing them at more than 5 per cent., and their reasons are that the sallary of receiving to the Sherriff is 10 per cent., that the tobacco lyes stragling and dispersed in the severall Countys, not being on execution, and many times slender securitys taken for the payment of those fines, most of such who keep ordinarys very poore persons, who take up the trade, and the Justices are willing to encourage them, to keep them off the County charge. My Lords, observing the Roman Catholicks in this province discourse of the late designed invasion by the pretended Prince of Wales, and were listning after the success, I thought it might not be amiss, with the advice of the Councill, to take the number of them in the severall Countys, that I might compute their ability in case any misfortune should befall us, which God forbid, and have inclosed the said lists for your Lordships' consideration, for I am satisfied those people have an illegall correspondance somewhere, they having reported the raising the seige of Toulon some months, and the invasion of the Pretender severall weeks, before we could have any intimation thereof. My Lords, it might still continue prejudiciall to H.M. service should I omitt to acquaint your Lordps. how ill the trade here have been treated in respect to the incertainty of the sayling of the present convoy, of which I had not the least intimation from Commordore Huntington, untill the latter end of August, and then was forced to dispatch boate and hands to Virginia to obtain that satisfaction. And altho' Capt. Gore in H.M.S. *Bristoll*, has layne in Patuxent some months within 50 miles of this place; I have neither seen nor heard from him. I hope your Lordships will remember my severall applications concerning the encouragement given in North Carolina to H.M. subjects here to disert this her more profitable province, which is still carryed on to a very high degree. All which I submitt to your Lordships' wise consideration, *etc.* *Signed,* Jo. Seymour. *Endorsed,* Recd. 9th, Read 17th Dec., 1708. 6 *pp* *Enclosed,*

131. i. Copy of Address from the Lt. Governor and Council of Maryland to the Queen. Congratulate H.M. on failure of the attempted invasion by the Popish Pretender, equipt by the French King. *Endorsed as preceding.* 1 *p.*

131. ii. Account of the Ordinary licences granted in Maryland Oct. 1703-1707. Total, 101,600lb. tobacco,—at 5 p.c. in money for four years, £254. *etc.* *Names* given of some 70 keepers of ordinaries during those years. *Same endorsement.* 2 *pp.*

131. iii. List of Papists inhabiting the several Counties of Maryland, 1708. *Total,* 2974. 1 *p.* [*C.O.* 5, 716. *Nos.* 56, 56. i.-iii.; *and* (*without enclosures*) 5, 727. *pp.* 99-106.]

Sept. 9. Southwark. **132.** Mr. Cox to Mr. Popple. Governor Crow having surrendred ye Navall Office to my brother Samuel Cox, I desire leave to withdraw my petition. *Signed,* Charles Cox. *Endorsed,* Recd. Sept. 9, Read Oct. 26, 1708. *Addressed. Postmark.* ½ *p.* [*C.O.* 28, 11. *No.* 27; *and* 29, 11. *p.* 306.]

1708.
Sept. 11
Windsor.

133. H.M. Warrant granting Richard Rigby, Provost Marshal of Jamaica, 3 years leave of absence, on his appointing a Deputy *etc.* Addressed to Governor Handasyd. *Countersigned,* Sunderland. [*C.O.* 5, 210. *pp.* 116, 117.]

Sept. 14.
Whitehall.

134. The Earl of Sunderland to the Council of Trade and Plantations. What is proposed in the inclosed petition seems to be so advantagious to our trade, that H.M. thinks it deserves your serious consideration, and desires your opinion what be proper for H.M. to do therein. *Signed,* Sunderland. *Endorsed,* Recd. Sept. 15, Read Oct. 25, 1708. 1 *p.* *Enclosed,*

134. i. Thomas Pindar, of London, merchant, to the Queen. By incouragement of your Majesties letter of Feb. 20, $170\frac{6}{7}$, granted to petitioner in favour of Manasses Gilligan of Barbadoes, for promoting the trade with the Spanish West Indies, petitioner is now advised that, by the interest and influence of Gilligan, a considerable merchant of New Spain hath been at Barbadoes to purchase negroes, *etc.*, and made offers of settling and promoting the Assiento Trade in that Island, and of importing thither for that end sufficient quantities of bullion and peices of eight, and that the same may meet with no interruption, he desires your Majesty will be pleased to grant passes for the ships imployed in that service. *Prays* for 4 passes accordingly. 1 *p.* [*C.O.* 28, 11. *Nos.* 15, 15. i.; *and* 29, 11. *pp.* 301-303.]

Sept. 16.
London.

135. Mr. Dummer to Mr. Popple. *Gives* sailings of the *King William* packet. Out and home 112 days. This pacquet boate brings from severall hands an account of the conduct of Admirall Wager and ye ill conduct of those Captns. which made up his verry litle squadron with which he attempted the Spanyards' fleet (14 saile of ships, 2 sloops and one brigantine), for which they have been tryed and found guilty of the breach of the 14 and 30 articles of warr. *Signed,* E. Dummer. *Endorsed,* Recd. Sept. 17th, 1708. *Addressed.* $1\frac{3}{4}$ *pp.* [*C.O.* 323, 6. *No.* 70.]

Sept. 20.
Windsor.

136. Order of Queen in Council. John Hallet is appointed to the Council of Barbados (*cf.* Aug. 18). A warrant is to be prepared accordingly. *Signed,* John Povey. *Endorsed,* Recd. 23rd, Read 25th Oct. 1708. $1\frac{1}{4}$ *pp.* [*C.O.* 28, 11. *No.* 14; *and* 29, 11. *pp.* 299, 300.]

Sept. 20.
Virginia.

137. Col. Jenings to the Council of Trade and Plantations. Having on June 24 given myself the honour of writing to your Lordships by H.M.S. *Garland* and at the same time sent a duplicate by a merchant ship of that fleet, I humbly beg leave to be referred to that letter, and the papers therewith sent, without giving your Lordships the trouble of repeating anything I then laid before you. I herewith send your Lordships the Journals of Councill from Oct. 15, 1706 to April 30, 1708, an abstract of which I sent in my last. There have been four meetings of the Councill since, chiefly intended for giving the necessary orders for hastening the merchant ships in their joining Capt. Stewart in June, and Commodore Huntington now, and for taking into consideration your Lordps.' commands signifyed in your severall letters; but the severe and extraordinary fevers and other sicknesses with which almost all parts of the country have been afflicted for near two moneths past, and under which several of the members of the Council at this time labour, hath hindered the answering those inquirys sent by your Lordps., as well as the reading the last proceedings of Council, so as to prepare them for your Lordships' view. After the departure of H.M.S. *Garland*, Commodore Huntington ordered out one of H.M. ships under his command to cruise: but that ship did not proceed on that service for some days after, having been obliged to go round to York River, to take in bread and provisions, during which time we had daily advices of the appearance of privateers on our coast, and after that man of war was out a cruising, one Capt. Tarleton of Leverpoole was chased from his anchors at the mouth of York River by a privateer sloop. Whereupon, at the Council held July 29, upon consideration of our danger, it was the unanimous opinion of the Council that, for securing this coast and trade against the privateers, it was necessary to have a fourth rate man of war, and a briganteen or sloop of about 8 or 10 guns, and proportionably mann'd; this latter to give chase to the privateer sloops in the shoal water, where by the report of all the Captains of the men of war that had been discoursed on that subject, it appeared very easy for such sloops to pass without coming within gun shott of a large ship. I have by this conveyance laid this matter before H.R.H. the Lord High Admiral, and I humbly beg your Lordships' favourable recommendation thereof, for it is demonstrable from the boldness of those privateers in coming within our Capes, even in sight of H.M. ships of war, that they place their chief confidence in the lightness of their vessells, and the impossibility of a large ship's following them among the shoals. I must on this head beg leave further to observe to your Lordships that the sloops which have been occasionally hyred here for the assistance of the men of war in that service have never answered the end proposed, for besides the almost impossibility of procuring a good sloop here fitt for such a design, the difficultys which the Captains of the men of war have pretended of dividing their men, and of sending out such sloops without their ships going in company, have made all the services intended by those sloops fruitless; so that they have only proved a charge on the Queen's Revenue, without any real advantage; and this consideration obliged the Council to advise the discharging the sloop impressed last summer, after she had been imployed and paid out of the Queen's revenue for six weeks, and yet in all that time not above five days out a cruising. I informed your Lordships in my last, that we were under some apprehensions from the Tuscoruro Indians, who had not complyed in delivering up some of their nation suspected of a murther committed last year in this Colony. In order to make them more yeilding in that particular it hath been thought fitt to prohibite all trade and commerce with them: this hath had some effect on them already, by obliging them to make overtures for an accommodation, and I am inform'd their coming in to complete it hath been only obstructed by the raging of a violent distemper amongst them for several weeks past. I thought it necessary to advise with the Councill, concerning the calling an Assembly, the chief occasion for which at this time is the raising an additional fund for finishing the Governor's house, the whole sum appropriated by Act of Assembly for that use being already expended, and yet the rooff not rais'd, nor any inside work done: I should have been glad to have had an Assembly for this purpose, but the majority of the Council thought it too great a charge to the Country to have an Assembly now, and another on the arrival of the Governor (he being daily expected and), by whom they thought it very probable H.M. would send such directions as might make the calling of an Assembly then of absolute necessity. Nor were they of opinion that either the danger of the Country from the privateers, or the apprehensions we were under from the Tuscoruro Indians, were sufficient grounds for calling an Assembly, the preventing of the first being a task too great for this Country to undertake, and the danger of the latter not so apparent, since there was hopes of an accommodation with those Indians. A nation of Indians called the Saponies, who were formerly tributarys to this Government, and removed Westward about 20 or 25 years agoe, have lately return'd and prayed to be received again into protection, and to have land assign'd them for a settlement, which by the advice of the Council I have granted them, in consideration of their being one of the Nations included in the Articles of Peace made with the Indians in 1677. Their number is not considerable, being only about 30 bowmen, but the character they have of being stout fellows, and withall very friendly to our inhabitants, makes me hope their Settlement (which is on the Maherine River) will be some kind of barrier against the Tuscoruros, or any other Indians that might be suspected to annoy us on that side, since they'l be able to advise us of their designs, soon enough to prevent both their and our danger. I have lately received H.M. warrant for paying unto Col. Hunter £1418·5·0 out of the Quitt-rents as a compensation for the loss of his equippage, and £500 per annum out of the same fund from July 1, 1707, till his arrival in this Colony; and pursuant to H.M. commands I have passed a warrant for the first, and another for one year's allowance ending July 1, 1708, both which sums will be remitted him by this conveyance: but that fund is so much drained by this and the former remittances into the Exchequer that I'm afraid the subsequent allowance

1708.

(which is ordered to be paid quarterly) must be superseded till the next year, if he stays out so long. I hop'd to have sent your Lordps. the copys of the accounts of H.M. Revenues of quitt-rents, and 2/- per hogshead, but the unfortunate absence of the Council has hindered their being audited; so that I must beg your Lordps.' patience till after our Genll. Court, when I hope to have an opportunity of sending by some of the latter ships. I'm sorry to acquaint your Lordps. that there's but an indifferent prospect of a market for the quitt-rents this year, the want of shipping in the country in the winter time, casts a damp on the tobacco trade, and discourages purchasers when they are uncertain of the conveniency of sending it home; I'm perswaded that among the many advantages the trade might gain by the fleets coming in hither in the fall, and returning in the spring, H.M. quitt-rents would be considerably advanced by it. I am informed from North Carolina that there are very great commotions in that Governmt., occasioned principally by the Quakers, who after they had prevail'd with the Lords Proprietors to turn out the Deputy Governor, and give the Council (who were most of their perswasion) a power of chuseing their own President, made choice of one Mr. Glover, and because they did not find him for their turn, voted him out again. They have had the cunning to sett all that Country in a flame, and all but themselvs in arms against one another. It would be tedious to trouble your Lordships with an account of the proceedings of the several partys, which look liker the freaks of madmen than the actions of men of reason, there has already been one man unfortunately killed in the fray, and tho' 'tis said they are coming to an accomodation, yet by the best information I have, it is not like to end so. I thought it my duty to acquaint your Lordships of this, as it happens so nigh this H.M. Colony; tho' I hope it will have no ill consequences as to us. *Signed,* E. Jenings. *Endorsed,* Recd. 6th, Read 17th Dec., 1708. 3½ *pp.* [*C.O.* 5, 1316. *No.* 9; *and* 5, 1362. *pp.* 318-325.]

Sept 20. Windsor. **138**. Order of Queen in Council. Appointing Valentine Mumby a Member of Council of Jamaica. Warrant to be prepared accordingly. *Signed,* John Povey. *Endorsed,* Recd. 23rd, Read 25th Oct. 1708. 1½ *pp.* [*C.O.* 137, 8. *No.* 21; *and* 138, 12. *pp.* 329, 330.]

Sept. 20. Windsor. **139**. The Earl of Sunderland to the Council of Trade and Plantations. *Encloses following,* "which you'll please to take into your consideration and to let me have your opinion what is fitting for H.M. to do therein." *Signed,* Sunderland. *Endorsed,* Recd. Sept. 24, Read Oct. 25, 1708. 1 *p.* *Enclosed,*

139. i. Francis Oldfield to the Council of Trade and Plantations. A native and constant inhabitant of Jamaica, having a considerable estate there, and for several years a member of Assembly, petitioner desires to be one of the Council, for which he is recommended by Governor

Handasyd. *Copy.* $\frac{3}{4}$ *p.* [*C.O.* 137, 8. *Nos.* 22, 22. i.; *and* 138, 12. *p.* 331.]

Sept. 20. Windsor. **140.** Order of Queen in Council. *Referring following* to the Council of Trade and Plantations, who are to hear the Petitioner's Agent and make further report upon this matter to H.M in Council. In the meantime the Order in Council of Aug. 18 is to be suspended. *Signed*, Edward Southwell. *Endorsed*, Recd. Dec. 23, 1708, Read Jan. 3, 1709. $1\frac{1}{4}$ *pp.* *Enclosed*,

140. i. Alexander Skene to the Queen. Prays that the recent proceedings against him (July 8, Aug. 10, 1708) may be reviewed. Petitioner's Agent was not heard by the Council of Trade, *etc.* *Copy.* $1\frac{3}{4}$ *pp.* [*C.O.* 28, 11. *Nos.* 43, 43. i.; *and* 29, 11. *pp.* 363-366.]

Sept. 23. Barbados. **141.** Governor Crowe to the Council of Trade and Plantations This packet honours me with none of your Lordships' commands. Our Fleet sayled on the 7th. I have been since soe indisposed with a cold and feavour that I have not been able to finish the answer I am a making to Messrs. Sharp, Walker and Berresford's Paper (*Sept.* 3); your Lordships may depend thereon by next *etc.* *Signed*, M. Crowe. *Endorsed*, Recd. 20th, Read 24th Jan. $170\frac{8}{9}$. 1 *p.* *Enclosed*,

141. i. Governor Crowe's Speech to the Assembly of Barbados, Sept. 4, 1708. *Refers to following.* I desire the Assembly will let me know whether there be any such general dissatisfaction in the country as these Gentlemen pretend, *etc.* $\frac{3}{4}$ *p.*

141. ii. Abstract of Messrs. Sharpe, Walker and Berresford's complaints. (*see* Sept. 3.) $1\frac{1}{2}$ *pp.*

141. iii. Address of the Assembly to Governor Crowe. *Reply to preceding.* (1) The Assembly hath satt very often at times when the Council did not sit, to prepare laws. This Assembly hath never done otherwise, or pretended to pass any Act, to which they did not expect the concurrence of the Councill, as by their Minutes appears. (2) The Councill has satt as frequently in the time of your Excellency's Government as it usually did formerly, except since the arrivall of the London Fleet, *etc.* As to ye dredfull alarm, another Paper Bill, we know of no such alarm. It never was in our thoughts, *etc.* (3) In the time mentioned the Assembly passed two Excise Bills; the first after some conferences and delays made by the Councill was rejected by them because Agents for this Island were appointed in the sd. Bill, wch. the Councill refused to pass, alledging that the Agency was a matter forreign to the title of the Bill, upon wch. the Assembly passed a second Bill, wherein the Agency was named in the title, and sent it to the Councill, who after severall debates and delays did likewise reject that Bill, because

1708.

the Assembly according to their former custom had named the Agents for this Island, so that these Gentlemen charge the delays and inconveniencies brought on this Island by others on your Excellency. (4) The Militia has not been so well setled these last four years as it is at present. (5) It is justifiable by the example of Parliaments and conventions of Representatives in other places, to petition H.M. separately or joyntly with others as they think fit. The Councill sat on Aug. 30. The Assembly sat the next day and resolved upon the sd. Address to H.M., of wch. we do not know that your Excellency had any foreknowledg. *etc.* (6) It is true that Assembly, according to the example of former Assemblies, did agree that the Treasurer should buy 15 doz. citron water, to be sent for presents to England, the Members declareing that if it should be refused to be allow'd to the Treasurer on his accompting, wch. is done by consent of the Council, they would reimburse it out of their own pockets. How this can be called a disposall of the public money *etc.*, we do not understand, and it is most unjust to charge your Excellency for permitting us to vote it, since it was impossible for you to know what our votes would be *etc.* (7) Their appreciation of the general dissatisfaction of the Island arose in these Gentlemen only as soon as the Assembly had offered in an address to your Excellency, Tuesday last, to prove the corruption and bribery of Alexander Walker in promoting the late Paper Bills. There has not been so general a satisfaction and quiet in these Islands for four years. The principal grounds for dissatisfaction that remain are (1) The poverty and want of trade occasioned by the late paper bills, and the arbitrary governmt. of Sir B. Granville which has made several hundred of the inhabitants leave the Island. (2) That a full enquiry has not yet been made into the villanous design against Major Lillington and Col. Downs in laying treason to their charge and imprisoning them thereupon wth. other great hardships, and that the ministers and instruments of that villany are not yet punished, without wch. the inhabitants cannot hope to live in safety for the future. (3) That a full enquiry has not been made into the bribery and corruption by wch. the paper mony was forced upon us. (4) The deposit mony and other greivous extortions in the Register's Office of the Court of Chancery are not yet reformed. (5) That the simonaicall disposall of Church liveings in the time of Sir B. Granville, of wch. there is violent cause of suspicion, are not yet enquired into. *etc.* Sept. 4, 1708. *Same endorsement.* 3 *pp.*

141. iv. Minutes of Council of Barbados, Aug. 30, 1708.

1708.

The Governor adjourned the Council to next day in course, owing to the sailing of the fleet, *etc.* *Same endorsement.* Copy. 1 *p.* [*C.O.* 28, 12. *Nos.* 1, 1. i.-iv.; *and* (*without enclosures*) 29, 11. *pp.* 383, 384.]

Sept. 24. Jamaica. **142.** Governor Handasyd to the Council of Trade and Plantations. I am to own the receipt of your Lordships of May 14, June 25, *and enclosures, etc.* As to Mr. Whitchurch's allegagations sett forth in his petition, I do aver that the most part of them, (if not all) is false, and that in Sir W. Beeston's Government the land was escheated and the Negroes belonging to Worth Delamaine and this Negro woman, particularly named in the writ of enquiry, were by Mr. Whitchurch or some others kept out of the way, and were not be found, it being the common custom of people here to deprive the Queen of all they can: As to his setting forth that Mr. Puckle, his Attorney here, spoke to me in his behalfe, he never said one word to me of the matter, as his letter I have here enclosed will affirm, and as to the Chief Justice's opinion or the proceedings then of the Grand Court, I never do concern myselfe with them, but do always let the Law have its due course. It has been my constant study since I came into the Government to assist H.M. Treasury by all lawfull means, as ffines, fforfeitures and escheats, and there has been an account given by the Receiver Generall's Deputy here in the publick accompts he has sent to my Lord Godolphin of all escheats found for H.M., and the bonds given in by the persons to whom they were granted, made payable at the expiration of 3 years, if no heir appeared in that time. I writ to your Lops. about 4 or 5 years ago concerning escheats, and particularly of an escheat granted to one Parker, to which I had your Lops.' answer, and took it to be a very satisfactory one. I must confess I believe the Country is not very well satisfied at my diligence to see that they pay Quitt-rents to H.M. for the land they have in their possession, and obliging them to patent what they hold without title, which I am sure is above half a million of acres added to the Revenue, since I came into the Government. And notwithstanding this, H.M. Revenue here, if well paid, does not amount to within £2,000 per annum of the contingent charges, and the Assembly have never assisted the Treasury with one royall, altho severall times desired it, to help to discharge the debts of it. I have been under a necessity myselfe to give £200 per annum, Jamaica mony, out of my own pockett for private intelligence, that we may not be surprized by the French and Spaniards that surround us on every side, which I hope I shall be considered for, for in case I should bring any such charge here, I should be obliged to make known from whence I had my intelligence, which must infalliby be the ruine of the spys, they being under the subjection of the French. This I have formerly given an account of to your Lops. As to Mr. Peeke, whom your Lops. acquaint me H.M. has been pleased to appoint one of

1708.

the Councill of this Island, I have no objections to him, but I am sorry my behaviour has been so indifferent, as that my recommendations should not be taken notice of, since it has always been thought that the Governors were the fittest judges, who were men most capable to serve the Queen and Country in the Councill, and not that the Jamaica merchants and ffactors should have the recommending them. Mr. Brodrick, whom your Lops. mention in yours, I have known here these 5 or 6 years to have behaved himself very justly to his Queen and Country; I likewise recommended Mr. Oldfield who is a very honest man, and a man of as good an estate as any in the country, but am mightily concerned that I have had no return. I writt to this purpose to my Lord Sunderland. I have lately had the misfortune to meet with many unexpected alterations, as the Privy Seal for restoring Mr. Barrow, who so basely affronted the Queen's authority, altho I had H.M. approbation as well as your Board's for what I had done in that case: this Privy Seal in relation to Mr. Rigby's escheat, without being heard what reasons I had to offer one way or the other: and severall other matters which I shall not here trouble your Lops. with. Mr. Totterdale, who has been a constant desturber in Assemblys and Grand Courts, did in fface of the last Grand Court, upon the triall of a criminall who was to be burnt in the hand, tell the Queen's Attorney Genll., when arguing law for the punishment of the criminall, that he did not know how soon it might be his turn to be whip'd at that place: As soon as I heard of it, I sent to the Court to have Mr. Totterdale suspended pleading, or bound over till there should be satisfaction made for the affront given to H.M. Officer, but have yet obtained neither, so that without some other method is taken to support the Queen's authority, I know not what will be the issue, for no man is in ffashion here, but he that will oppose it. Enclosed your Lops. will have a list of the ships that have arrived here from Guinea since June 25, 1698, with the number of Negroes imported by each vessell, as well permission ships and others as the Affrican Company's. I likewise send a list of all prizes brought in here, and condemn'd since July last till Sept. 20. And since that a French ship has been sent in by one of our privateers, which is not yet condemn'd, the same privateer took 3 or 4 more vessells, but burnt them, not being able to send them into Port. I have caused a brigantine to be seized for the Queen that was taken without a legal Commission, she will be tried in a few days, of which I shall give you an account in my next. I have received 40 recruits by this packett boat, and hope to have the remainder by the next. The Privy Seal for the return of Mr. Whitchurch's Negroes shall be duly comply'd with, notwithstanding Mr. Rigby has been at between £30 and 40 expence in the passing through the Courts and the severall Offices, wch. I shall reimburse him, and place to the back of my own acct. The Act of Parliament in relation to the coin and that of the Trade to America shall likewise be observed. By a ship lately arrived from Bristoll I

1708.

have received a Gazette that gives an account of our glorious victory in Flanders, which I shall cause to be put into Spanish, and send among the Spaniards. Our merchant ships consisting of 7 sail under convoy of 5 men of war will sail for Great Britain in two or three days, on board which will be in boullion better than £200,000 sterl., and therefore I hope a squadron will be ordered to meet them in the Soundings. The Island has been sickly this month past, but not attended with great mortality. *Signed,* Tho. Handasyd. *Endorsed,* Recd. 25th, Read 26th Nov., Dec. 6th, 1708. 5 *pp.* *Enclosed,*

142. i. William Puckle to Governor Handasyd. I never applied to your Excellency in relation to Mr. Whitchurch's affairs, *etc.* *Signed,* Wm. Puckle. *Endorsed,* Recd. 25th Nov. 1708. *Addressed.* 1 *p.*

142. ii. List of prizes condemned in the Admiralty Court, Jamaica July-Sept., 1708. 5 Spanish, 2 French. *Endorsed as preceding.* 1 *p.*

142. iii. List of vessels arrived in Jamaica with negroes June 25, 1698-June 14, 1708. *Totals*: Negroes imported by the African Company—6854; by separate traders, 35718; importers not indicated, 1804. *Grand total,* 44,376. *Same endorsement.* 6 *large pp.* [*C.O.* 137, 8. *Nos.* 24, 24. i.-iii.; *and* (*without enclosures*) 138, 12. *pp.* 340-345.]

Sept. 24.
Jamaica.

143. Governor Handasyd to the Earl of Sunderland. *Repeats preceding letter, and adds*:—I received 40 recruits by this packett-boat, and hope to have the remainder by the next. I am favoured with your Lop.'s letter of Jan. 31 in behalfe of Capt. Virnon. I think he is very deserving, and I shall be proud of an opportunity of doing him all the service that lies in my power or any Gentleman your Lop. is pleased to recommend. *Signed,* Tho. Handasyd. *Endorsed,* R. Nov. 25, 1708. $4\frac{3}{4}$ *pp.* [*C.O.* 137, 45. *No.* 90.]

Sept. 25.
Plantation Office, Whitehall.

144. W. Popple jr., to the Commissioners for stating the arrears due from King William. Salaries due to the Lords Commissioners of Trade and Plantations, Michaelmas, 1700—March 8, 1702—£11,574. 8. 4. Salaries due to the Secretary, Clerks, Doorkeepers *etc.* £1,022. 0. $3\frac{1}{4}$. [*C.O.* 389, 36. *pp.* 368. a, b.]

Sept. 28.
Kensington.

145. H.M. Warrants, addressed to Governor Parke, appointing Wm. Thomas and Richard Oliver to the Council of Antego. *Countersigned,* Sunderland. [*C.O.* 5, 210. *p.* 118.]

Sept. 28.
Kensington.

146. H.M. Warrant, addressed to Governor Handasyd, appointing Valentine Mumby to the Council of Jamaica. *Countersigned,* Sunderland. [*C.O.* 5, 210. *p.* 118.]

Sept. 28.
Kensington.

147. H.M. Warrant, addressed to Governor Crowe, appointing John Hallet to the Council of Barbados. *Countersigned,* Sunderland. [*C.O.* 5, 210. *p.* 119.]

1708.
Sept. 29.
Antigua.

148. Governor Parke to Mr. Secretary Boyle. I did myselfe the honour to write soon after I heard you were principall Secretary of State to congratulate you; I write now to begg a favour which is onely common Justice. I hear there is one Mr. Nivine gone home to endeavour to gett me out of my government. He has, as I am informed, carryed home articles against me, but the Councill as well as myselfe are ignorant what they are. The favour I begg is, that I may have liberty to answer whatever is lay'd to my charge, before I am condemned. I am very sure they can alledge nothing against me will doe me an injury; it is noe wonder people of these Islands sends home Articles against theyr governours. I have been the longest without a complaint of any that ever was before me, nor doe I know any just cause they have now, except preventing theyr clandestine trade with the French and Dutch. If upon a full hearing, you thinke I deserve to be turned out, then lett me be used as I deserve, but if I have discharged my trust like an honest man, I hope I shall have your protection, *etc. Signed,* Daniel Parke. *Endorsed,* Recd. Jan. 19. 2 *pp.* [*C.O.* 152, 42. *No.* 9.]

Oct 1.
Antigua.

149. Governor Parke to the Council of Trade and Plantations. *Encloses* accounts of imports and exports. *Signed,* Daniel Parke. *Endorsed,* Recd. Jan. 18, Read Feb. 7, 170$\frac{8}{9}$. 1 *p.* [*C.O.* 152, 8. *No.* 8.; *and* 153, 10. *p.* 285.]

Oct. 1.
Antigua.

150. Same to Same. Recieving noe commands from your Lordshipps by this packett I have nothing elce to send but duplicates of what sent by the last except a account from Montserrat of what negroes have been imported by the Company and private trade, and the imports and exports of this Island. I don't doubt but your Lordshipps before this comes have seen one Nr. Nevine, who as I hear is gone home wth. articles against me, he went of in a clandestine manner, though I sent him word by the Secretary that I heard he was going of privately, that if he would give in security as the Law directs for the payment of his debts, I promised I would not stopp him, but on the contrary, if he would lett me know the articles, I would send home my answer at the same time, but he tooke noe notice of my messuage, for that would not answer'd his end, for it will sound better to say he was afraid of being stopped, and had I knowne the Articles, my answers would have prevented theyr makeing any impression. What these Articles are, neither myselfe nor Councill can guess, theyr manner of getting people to subscribe them has been very extraordinary, they made severall feasts, and got people to subscribe when drunke. The Agent of the Affrican Company, Mr. Chester, made most that were in the Company's debt subscribe, promiseing them to trust them for more negroes, and those that would not were threatened, there is not one in tenn knows any one Article, and those that doe were sworne to secrecy, a deposition of one of the Assembly relateing thereto

I sent by the last packett, *etc.* Your Lordshipps had not had this trouble, notwithstanding Col. Codrington's private intriegues, had I not for this five or six months past been very industrious in supressing a clandestine trade that has, it seems, though I did not know it, been all along carryed on between these Islands and the French and Dutch Islands, all theyr brandy, clarrat, white sugar, cocoa and other French goods they gett from Guardaloupe for beef, which serves to fitt out theyr privateers; this trade is drove chiefly from Montserat, which is in sight of Guardaloupe. Col. Hodges, theyr Lt. Governour, and the Colle[*c*]tour, are unkle and nephew, and they absolutely governe that litle Island, there comes every year tenn times as much beefe as that Island expends, yet noe body knows what becomes of it, the most of it comes to the Lt. Governour, and in a few years he has got a greate estate by Trade. I can gett noe proof against him, they are soe linked together, either by relation or by intrest, but this I have found out, that there is two Danish sloopes, that used constantly to goe and come. I ordered my privateers to search these sloopes, if they found them at anchor, but they were good saylors, and as soon as they made a privateer, run from them as from an enemy. Mr. George Sherrard, that lives in Princess Court, Westminster, can informe your Lordshipps how I sent him after a Dane, and how one Mr. Blake told him to tell me, if I would lett them trade quietly as before, it should be worth me more then my sallary. The same offer'd me 100 pistoles to lett a Dane's sloop saylê from St. Johns unsearched, and upon my refuseall told me noe Governor could gett anything here except he winked at that trade, and that old Coll. Codrington got all his estate that way, and that if I resolved to be soe strickt, the merchants by one means or other would make me very uneasy; I have found his words true, most of the people on Montserratt are Papists, and they have an Irish priest with them, and notwithstanding I have severall times gave orders for takeing him up, yett I cannot get it done. I have severall packetts that have been taken out of sloops by my privateers that plainly discovers a considerable trade is carryed on, but they are not proof, for false names are made use of, but the invoyces for beef etc., plainly discovers it, about 5 or 6 weeks agoe my privateers landed on Guardaloupe, and took of some negroes. Among them there was a very remarkable fellow, he had a monstrous great knob of flesh grew from his ear to his shoulder, he was presently knowne being a negroe that came in Mr. Chester's sloope from Guinea, about 10 or 12 months before, if they got pieces of eight in returne for theyr beef and negroes, there would be some excuse, but it is quite contrary, they bring great quantitys of dry goods, which may be had from England. I have been informed that lutestrings have been sent from Montserrat to Bristoll, and vast profitts got by them, the London merchants have noe profitt of this trade, nor know anything of it, it is theyr factors here that makes use of theyr effects, to carry on this trade, and pretend in theyr letters that they

1708.

have trusted the planters, and cant gett in theyr debts, as Mr. Chester, Agent for the Affrican Company, writes the Company, when the truth is he makes use of theyr effects to carry on his trade. I bought some negroes of him, he was very earnest with me, and I paid him in 3 or 4 months, other people tells me the same thing, and yett the Company (as I am informed) has due to them from this Island £30,000, a privateer about 4 or 5 months agoe, seeing a sloope of Mr. Chester's, putting on shore some goods in a private bay, took her and brought her downe to St. Kitts, where the Collector seized her, and she was condemned, she came from Curacoa, and had great quantity of Holland and other manifactures of Europe on board, as much as was apraised at near £600, though the privateers had plundered her of the better halfe, if this clandestine trade is permitted, these Islands will have noe occasion to send for England for goods, which will be a great loss to the English nation, and worth your Lordships' consideration. I have put a good stopp to it, in a litle time doubt not but wholy to prevent it. This has provoked the merchants, and this has been the cause of Mr. Nevin's being sent home with articles, lett them pretend what elce they please. Nor doe they depend upon theyr articles, for had they been true, they would not have been less true after I had knowne them. And as a proof they doe not depend upon theyr articles, they have raised £5000, this must be with an intent to bribe, for £100 would [a] have been suffitient to fee Councill; I hear Coll. Hodges has subscribed £300, it is worth his while, for rather then lose this profitable trade, he had better give £3000, and I believe he would, and yet he is sworne to the Acts of Trade, as well as myselfe, this is a plaine demonstration my preventing this trade is the great grievance; for till that time Col. Hodges I thought was my very good friend, and severall other merchants, whoe I have very much obliged, have now given money to gett me out, that used to raile against Codrington, and have declared I was the best Generall they ever had. Chester himselfe said the same to Capt. Saml. Byam but two days before his sloope was seized, but when he heard the sloop was seized, he swore I was the worst Generall they ever had, and that he would be revenged of me, thus your Lordships may see what I have got by doeing my duty; my salary they would not pay me by reason I would not pass unreasonable laws, and [and] give the negative voice to the Speaker, and now for preventing a clandestine trade, they have raised £5000 to gett me out, theyr articles are all forged, and but made use of to throw dirt, and to make an impression on your Lordships, knowing it will be 3 or 4 months before they can be sent me and my answers returned, and in that time they hope to bribe me out. I have noe doubt but your Lordships will be soe good to me as by your last you promised me, that if there comes over any articles, they shall be sent me, and have time allowed me to answer them, I desire noe more, for I am very sure I have been soe carefull that neither in my publick nor private

1708.

capacity, I have done any one thing but what I can justifie before the stricktest Judges, for my part I am weary of being with them, and whenever I have cleared myselfe I shall desire the Duke to provide for me some other way. There is one other reason for theyr being angry with me, which is, my takeing care to have the Courts kept, for last year I had much adoe to have the Courts kept, and my holding a Court of Chancery every weeke, and amongst others I made a decree against the Chiefe Justice, for which he did me all the mischief he could underhand for some months, and when I found him out, he layd down his place, it is a constant maxim not to doe justice to any one but of the Island; there is hardly an instance of any one in England that ever recovered his right here. Some of the best Gentlemen that have been summonsed upon a jury have declared they would bring it in for such a one because he was theyr neighbour right or wrong, as in the case of Mr. Dumma last year: Mr. Baron, and others, can hardly gett soe much as anyone to prosecute for them, for it is looked upon as a very great crime for anyone to accept a power to prosecute an inhabitent; and by theyr law noe freeholder can be arrested, but you must proceed against him with the same respect as with a peer in England, and after you have judgement, it is a year and a halfe before you can levvy an execution to doe them any service, these evills I have endeavoured to have remedied, but to no purpose, by which I have created myselfe many enemies, and nothing can remedy those abuses but an Act of Parliament to repeale theyr Court Law, and put the Common Law of England in force, and someone that understands the law sent over as Chiefe Justice. I find my enemys that have articled does not thinke theyr articles will be suffitient to turn me out, therefore they give out they will affront me soe as to make me leave them, accordingly upon all occasions where I have been ever since Mr. Nevine went, they would come in partys and say rude things, and have committed severall disorders in the Towne under my nose, when I have sent to them they have affronted the Messengers, though magistrates, and Mr. Chester made a feast the 18th past, and it was given out some time before that that night they would affront the Generall, and they should see fine worke. I thinke they gott nothing by that project, soe I believe I shall be easy from affronts for the future, they imprisoned all the civill magistrates of the Towne, so that I was forced to call for a guard to prevent mischiefe, I bid the Justices bind them to theyr good behaviour, but they committed and fined them as for a riot on view, those that are fined above the sum limmitted in my instructions for apeales, I offered them to release them on security to prosecute the apeal at home, but they refused, and sent me word one and all would come out, or else lye there. I know not what to doe. I have asked the opinion of the Attorney Generall, and the Queen's Councill at Law, they tell me they must pay theyr fines, or be discharged from home, for by theyr law there being noe Court of Queen's bench in the Island there can be noe writt of error brought, or they tell me I may grant them a pardon, which I have offered them, but they had rather lye in prison then acept of of a pardon, though I thinke before I gave them a pardon I would have security that in case the Queen did not thinke fitt to remitt theyr fines, that they should pay them, for it is not in my power to remitt fines, the fines may seem extravagant at first sight, but if your Lordshipp[*s*] will consider the difference of money is 50 p.c., there is two are over fined. I asked the Justices their reason, they told me they were sett on by rich people, and they ought to pay theyr fines, and they themselves are worth more then they are fined. I here send your Lordships severall depositions which will informe your Lordships better then anything I can say. I could send forty more to the same purpose, people that were awaked out of theyr sleep, their neighbors that heard and saw what past, but I think soe many is as good as a thousand. I had notice given me what was designed, and tooke all the care imaginable to prevent it. I hear they have taken some depositions to make apear theyr innocency for now they begin to thinke themselves in the wronge, for at first they outbraved it, but those depositions are from people that were in the riot, that the Justices did not thinke fitt to commit, haveing done enough for example and to prevent the like for the future. P.S. Just as I had finished this, I had a petition brought me from the rioters desireing a writt of error to be brought before me and Councill. I answered that I would lay it before the nixt Councill, and should act as they, the Attorney Generall, the Queen's Councill at Law, advised me. The Packett sail'd within an hour after this, and notwithstanding I had given this answer, and had given orders for calling a Council the next day, yett that night they broke the prison; I would have had them taken, but the Council advised me to make them give good securety for the payment of their fines in case the Queen did not remit them to lett them alone, wch. I did. I hope the Queen will think them better bestowed on some charitable case then remitted. I will take care to have them received and sent home. *Signed*, Daniel Parke. *Endorsed*, Recd. 18th Jan., Read 7th Feb., $170\frac{8}{9}$. 7 *pp.* *Enclosed*,

150. i. Address of the Council of Antigua to Governor Parke. *Duplicate of* Aug. 24. *q.v.* *Endorsed as preceding.* 1 *p.*

150. ii. Council of Antigua to Richard Carey, Agent for Antigua. If a paper of complaints against H.E., is laid before the Council of Trade, this is to let you know that they are not formed by the Representative body of this Island, but concerted by some particular disgusted and disaffected persons, *etc.* *Signed*, John Yeamans, John Hamilton, Edward Byam, Will. Codrington, Tho. Morris, Law. Crabb, Will Byam. Aug. 24, 1708. *Same endorsement.* *Copy.* 3 *pp.*

150. iii. Account of the Riot at the house of Mr. Edward Chester, senr., at St. Johns, Antigua, Sept. 18, 1708.

That morning General Parke received information of a riotous meeting the night before in the street before the goale, supposed to be occasioned by the comittment of Mr. John Barnes, the evening before, for wounding of a person, who desired leave to sea[*r*]ch his negro houses for things stolen from him, and also at the same time speaking very scurrilously and disdainfully of the General, *etc.* The Generall desired the Constables to prevent any such doeings the next night. Returning after dinner to towne about 7 p.m. and passing Mr. Chester's house, a great deale of company immediately fell a singing and makeing a noise in a very scoffing and rude manner, but the Generall tooke noe notice, but walked on to the Coffee-house. There Mr. Chester senr., Bastian Otto Byar, Edward Chester jr., Joseph Adams and others came by him in a very rude manner, and had like to have justled him, and fell upon abuseing the mistress of the house, and swearing and makeing a noise, on purpose to affront him. The Generall advised Mr. Otto Byar to goe home and behave himself for his father's sake. Some tyme after, the Generall was walking againe by Mr. Chester's house, and the company there againe fell a singing and makeing a noise very rudely. The Generall sent constables into them to require them not to keep such a noise, but they continued drinking there, and said 'twas time enough to go home. Presently the Generall ordered Col. Thomas Morris (one of the Council and a J.P.) and the Provost Marshall to tell them to be more civill or else to disperse, whereupon the company fell abuseing them, and immediately the doors and windows were shut up, and Col. Morris, the Provost Marshall and severall of the constables were in a riotous manner made prisoners. Mr. Byar had his sword drawn. One of the constables jumped out of a window for fear, and another was wounded in the leg. Mr. Justice Gateward in a loud voice commanded all persons in the Queen's name to keep the peace and goe to their severall habitations, and then went in, where severall of the Company behaved themselves very insolently towards him and the other Justice of the Peace, and thereupon they and the Marshall committed several to the goale for a ryott, as being convicted thereof by their view, and accordingly a record is made thereof, and the persons fined. The Attorney General and Queen's Council approve of above proceeding. Oct. 1, 1708. *Signed,* H. Pember, J. Brady. *Endorsed as preceding.* 1½ *pp.*

150. iv. Copy of the Record of the Riot described in preceding. *Same endorsement.* 1 *p.*

150. v.-xix. Depositions of Tho. Gateward, Michael Ayon, Saml. Wickham, John Bermingham, Thomas Morris,

1708.

James Robinson, Jacob Thibon, Samll. Walker, Alexander Dunn, Jason Martin, William Harrox, Capt. Thomas Newell, in support of *No.* iii. *Same endorsement.* 30 *pp.* [*C.O.* 152, 8. *Nos.* 9, 9. i.-xix.; *and* (*without enclosures*) 153, 10. *pp.* 288-300.]

Oct. 1. Boston, New England.

151. Governor Dudley to the Council of Trade and Plantations. Your Lordships' commands of April 15, referring to the Affrican trade, came to my hand from Barbados on Sept. 28. And I have used all possible application to make my letters ready from this Province, as I hope to do from the Province of New Hampshire, and this is the first conveyance since. And that I might perfectly satisfy your Lordships what negro's have been imported into this Province from June 24, 1698—Dec. 25, 1707, I have caused ye Officers of the Revenue to attend me, and have had conference with the principal merchants and planters referring to the number and prices of negro's brought in. And I find by the best computation that I can make (which cannot faile me to any degree) that there are in Boston negro servants to the number of 400, above half of them born here; in 100 towns and villages in this Province 150. That in the 9½ years last past of the abovesaid number, arrived 200. That none of these were brought in by any ships of the Affrican Company, nor seperate traders directly from any part of Affrica, but from the West Indies. That is to say, Barbados, Jamaica, the Leward Islands, *etc.* Nor can I learn from any the merchants or planters here, that before this time the Affrican Company had any ship or factory here; but some traders on their own accompts, a long time since, have been upon the coast of Guinea[n] and brought slaves, the last was Thomas Windsor in the year 1700, who brought in 25 negroes, copy of the dutys paid to the Affrican Company is inclosed. Since which here is an Officer, Mr. Benja. Alford, impowred to receive the 10 p.c. as by Act of Parliamt. given for the Affrican Company, whose commission is dated Feb. 25, 170$\frac{0}{1}$. Everybody is sensible of the absolute necessity and great benefit of that trade for the West Indies, but it is not so serviceable for these Northern Plantations. Because the winter halfe year admits of little service from them, but demands a great deal of clotheing, which is very dear in these Provinces. The negroes so brought in from the West Indies are usually the worst servants they have, which are therefore sent to be solde. The prizes are usually between £15 and £25 per head. These Plantations being upon the Continent admit of their running from their masters, whereas upon the Islands they are soon recovered. Upon all which accounts they have been found so little profitable, and the planters here do so much prefer white servants from Great Britain, Ireland, Jersey and Guernsey, who are serviceable in the war presently, and after become planters, that they have set, by a Law three years since, £4 per head upon all Blacks imported, to encourage the bringing in of white servants, *etc.* P.S. I have prepar'd 4 copy's of this letter, which I shall dispatch all way's possible that it may arrive seasonably, as yr. Lordsps. have commanded. *Signed,* J. Dudley. *Endorsed,* Recd. 1st, Read 3rd Jan., 170$\frac{8}{9}$. 2 *pp.* *Enclosed,*

151. i. List of vessels cleared at Boston for Africa, June 25, 1698—Dec. 25, 1707. *Total,* 2. (1699, and 1700). *Signed,* John Jekyll, Collector. *Endorsed as preceding.* 1 *p.* [*C.O.* 5, 865. *Nos.* 8, 8. i.; *and* (*without enclosure*) 5, 913. *pp.* 37-40.]

Oct. 4-20. **152.** List of soldiers enlisted at Newfoundland by Major Lloyd. *Signed,* Jno. Mitchell, Danl. Snagg, Charles Davis, Danl. Maddox, Tymy. Mackarlye, Jno. Arnold, Matthew Walker. *Endorsed,* Recd. from Mr. Thurston, Read Jan. 5th, 170$\frac{8}{9}$. 3 *pp.* [*C.O.* 194, 4. *No.* 78.]

Oct. 9. Windsor. **153.** H.M. Warrant, addressed to Governor Crowe, granting leave of absence to George Gordon, Provost Marshal, of Barbados, on appointing a Deputy, "in regard to his being employed in the Office of our Admiralty and to some private affairs of his own" *etc.* *Countersigned,* Sunderland. [*C.O.* 5, 210. *p.* 120.]

Oct. 9. **154.** Lord Baltimore to Mr. Popple. Haveing by your favour Sr., had ye peruseall of a report made by Mr. Solicitor Genll. upon ye two Acts lately sent from Maryland; I desire you'l please to acquaint the Lords Commissioners of Trade that I humbly petition to be heard by Council before their Lordpps., before that report be sent to the Queen. Herein you'l add to the favours you have shewne to, *Signed,* C. Baltemore. *Endorsed,* Recd. 11th, Read 26th Oct., 1708. *Addressed. Sealed.* $\frac{1}{2}$ *p.* [*C.O.* 5, 716. *No.* 52; *and* 5, 727. *pp.* 54, 55.]

Oct. 10. New Hampshire. **155.** Governor Dudley to the Council of Trade and Plantations. *Same as* Oct. 1. "There are in New Hampshire negro servants to the number of 70. And about 20 of them in nine years past have been brought in." *etc.* *Signed,* J. Dudley. *Endorsed,* Recd. 1st, Read 3rd Jan., 170$\frac{8}{9}$. 2 *pp.* [*C.O.* 5, 865. *No.* 9; *and* 5, 913. *pp.* 41-43.]

Oct. 11. Barbados. **156.** Messrs. Sharpe, Walker and Beresford to the Council of Trade and Plantations. We enclose a copy of the Assembly's Address against us by the instigation of Mr. Crowe, together with some remarks upon the same, which were prepared to have gone by ye *Cotton* pacquet, Sept. 23, but it haveing been thought she would not sail till the 24th in the morning, our letters came too late for that conveyance. Since that, we find a Faction in the Assembly resolving not to depart from their darling project of paper mony, which they so much condemn in others, have prevail'd to bring a Bill into the House for that purpose; and altho' a petition herewith sent your Lordships was presented against that design, sign'd by the most considerable Traders of ye place, yet they have voted a Bill to be

1708.

brought in for that end. We observe these Gentlemen think they answere all clamours, when they say they do not design to force their Paper Bills on any person, but this is a weak as well as unpardonable fallacy, for they declare the Country in debt above £20,000; they declare also, they raise this tax, and frame this Paper notion to discharge those debts. With what face then can they tell ye world they don't design a force? For if ye Creditor of ye Publick must take these paper Bills in discharg of his debt or have nothing, it is plain they are forc't upon him. But there is yet a greater injustice hid under this pretence of no force; for as it already appears, the creditor being effectually forc't to take these paper Bills, because unless he dos, he must go without his mony, he is under ye greatest hardship in ye world, if he can't force them from him upon those he is indebted to. As to what may be said, that these Bills are made currant in ye payment of ye taxes and excise, this can be no relief, for ye grand creditors of this Island are mattrosses and other guardsmen of our fforts, who can hardly be supposed to trade in excisable liquors, or to be able to wait for their pay five years, the time limited for sinking these Paper Bills. So that it is plain, this is only a project to mortgage the Country for 5 years for £30,000 payable £6000 annually reckoning interest, by which means all future Governours will be embarrast. But which is worse, the Governour, Treasurer, and others let into the secret will undoubtedly buy up these Bills from ye poor creditors for a trifle, which we have reason to believe was the view intended, in not adding a force and makeing them currant; by which means they will receive to themselves ye greatest part of ye tax of £6000 a year; a new method of evadeing H.M. Instructions against takeing presents, and of retrieving the lost fortunes of these unhappy men at the expense of the publick. We are prepareing full proofs to be transmitted to your Lordships by ye next opportunity of all the particulars we have charged Mr. Crowe with in our late Representation, which we were so cautious as to communicate to no person in this Island but himself, and that personally and privately; notwithstanding which he thought fit to suspend us from H.M. Council for the same on Sept. 25, immediately after the pacquet sail'd. We are satisfy'd we have done nothing but our duty. We lye under great hardships in obtaining the Minutes of common matters, and persons willing to prove his illegal and arbitrary practices are deterr'd from doeing the same by ye apprehensions they lye under of his power, which alone hinder us from doeing ourselves the honour of transmitting them by this vessel privately dispatch't, and of whose sailing we had but a few hours' notice. We gladly submit ourselves to your Lordships, beseeching you to exert not only your reason, but your authority in censureing effectually the dispensing power assumed by Mr. Crowe, which has highly incensed all true Englishmen, which has subjected him to ye influence of a faction, who now resolve to make a tool, instead of complaining of him; which they once resolv'd with

1708.

all ye violence imaginable; and which will render us, without your Lordship's interposition, the only sacrifices to Mr. Crowe's violence and obstinacy, tho' we are neither guilty of them, nor of ye wicked arts of the Faction, but have, and do still continue to declare for steady, legal and moderate measures, by which only Barbados can be saved, which we beg leave to assure your Lordships is upon ye very brink of ruine. *Signed*, Wm. Sharpe, Alexander Walker, Saml. Beresford. *Endorsed*, Recd. 14th, Read 15th Dec., 1708. 2 *pp.* *Enclosed*,

156. i. Copy of petition of several merchants in Barbados to the Assembly against a proposed Bill for issuing a great sum in notes from 2/6 to 10/s. 49 *signatures*. *Endorsed as preceding.* 2 *pp.*

156. ii. Copy of heads of proposed Paper Act. 1¼ *pp.*

156. iii. Copy of Governor Crowe's Message to the Assembly, and their Address to him upon the Representation of Messrs. Sharpe, Walker and Beresford to him. Sept. 4, 1708. *Same endorsement.* 3 *pp.*

156. iv. Answer of Messrs. Sharpe, Walker and Beresford to the [*preceding*] Address of the Assembly. *Same endorsement.* 5 *pp.* [*C.O.* 28, 11. *Nos.* 42, 42. i.-iv.; *and* (*without enclosures*) 29, 11. *pp.* 357-361.]

Oct 18. New York. **157.** Governor Lord Cornbury to the Council of Trade and Plantations. I trouble your Lordshipps with these few lines to acquaint you that the great abuses committed in the neighbouring Collonys upon the Spanish coin allowed to be current here; to that degree that it is generally diminished above one third of the vallue, have obliged the Assembly now sitting to passe an Act for regulating and preventing the corruption of the current coin, which I herewith send you, and intreat your Lordshipps to use your best endeavours to obtain the Royall assent for this Act, which I know to be of the utmost consequence to this Province, and without which it must be ruined; I likewise send your Lordshipps an Addresse signed by my self, all the Gentlemen of the Councill that were in towne, and all the Members of the Assembly that were in towne. I am desired by them all to desire your Lordshipps to lay it before H.M., with the Act to which it relates. I am obliged in justice to the people of this place, to assure your Lordshipps that the Addresse contains the truth, and that the inconveniencys therein mentioned will most certainly attend this Province, unless H.M. is gratiously pleased to confirm the Act passed here. I beg the favour of your Lordshipps that I may hear what H.M. pleasure is as soon as possible, because the Act of Parliament of Great Brittain is to take place in these parts the first of May next. *Signed*, Cornbury. *Endorsed*, Recd. Jan. 26, Read Feb. 18, 170$\frac{8}{9}$. *Holograph.* 2 *pp.* *Enclosed*,

157. i. Address of the Governor, Council and Assembly of New York to the Queen. Wee your Majesty's most dutifull and loyall subjects, being highly sencible of the great disadvantages this Province has already and

1708.

must still labour under by the great abuse of the forreign coin allowed to be currant in these parts, to the great decay and even almost the intire ruine of trade, unless timely prevented, for the currant coin of this your Majesty's Province has of late been clipped and diminished at least one third part of its real value and great quantitys thereof for want of some good Law to prevent the same daily imported, whereby we are subject not only to the abuse of all evill practices of this kind here; but in apparent danger of being the receptacle of all the clipt money in this part of America; And having seen an Act of Parliament *for ascertaining the rates of foreign coins in H.M. Plantations*; which is to take effect in these American parts on May 1st next, doe with all humility acquaint your Majesty, that if that Act is to take place according to the letter of it, this Province in particular, and some of the neighbouring Provinces upon this vast Continent must unavoidably be ruined, for if the coin allowed to be current in these parts (which is cheifly the Spanish coin and some Lyon dollars) is to be upon the same foot here as it is in the West Indies, we shall not have money to support the Government to pay the four company's of fuzileers, which your Majesty is graciously pleased to allow for the defence of this Country, nor to carry on any trade, and our ships must lye and rott by the walls, for it is an undoubted truth that nothing brings money into this Province, but the trade to your Majesty's Islands in the West Indies and to those subject to the States Generall of the United Provinces; from the latter of which we bring nothing but heavy money. The cheif returns from this Province to Great Britain are made in heavy money. And if the money must pass here at the same rate it does at Jamaica and other Islands of the West Indies, as by the said Act is directed, it will not be worth the merchants' while to bring money, but will rather bring the produce of those Islands in return for the produce of these parts, which they carry thither, and so leave this Province without money, for want whereof the merchants here will not be able to make such returns to Great Britain as they used to doe, and consequently this Province will not be able to take off, by a great deal, so much of the manufactures of that your Majesty's Kingdom as it has hitherto done, to the great damage of this Province, as well as the manufactures of Great Britain. In the last clause of the Act your Majesty is left at liberty to alter the regulation of the coin made by the said Act, either by your Majesty's Royal Proclamation, or by assenting to any Act of Assembly to be past in any of your Majesty's Plantations in America for that purpose.

1708.

The certain knowledge wee have of the consequences that will attend the execution of that Act in these parts, and the duty we owe to your Majesty, and the desire wee have to promote the good and wellfare of your Majesties subjects of this Province, have made us think it an indispensible duty upon us, not only to represent the circumstances of this Province to your Majesty, but likewise in most humble manner to lay at your Majesty's Royall feet an Act passed this present Sessions of Assembly, "for the regulating and preventing the corruption of the currant coin," in the passing of which wee have taken care to observe the directions your Majesty has been pleased to give the Governor in your Royall Instructions to him, in which your Majesty is pleased to direct him not to suffer any Act to pass by which the value of the silver coin allowed to be currant in this Province may be diminished without your Majesty's leave first obteined; the rates contained in this Act are the same which the money now goes at in the Provinces of Connecticut, Massachusets Bay, New Hampshire, Rode Island and New Jersey, and has gone at the same rate in this Province upwards of 20 years past. This being the Truth, wee humbly beseech your Majesty will be graciously pleased to favour this Province with the Royall Assent *etc.*, and to beleive wee should not have presumed to have passed the said Act without first obteinning your Majesties' leave for soe doeing, were it not for the shortness of time, between this and the first of May, that the Act of Parliament is to take place here, and the very great incertainty of hearing from Great Britain during this time of warr, it being sometimes 14 or 15 months before wee can have any answers to the letters wee write from these parts, so that before wee could have humbly pray'd for and obteined your Majesty's leave to pass such an Act all the inconveniencies which wee apprehend from the execution of the Act of Parliament would have fallen upon this Province before wee could have obtained a remedy, which wee now humbly hope for from your Majesty's great goodness to us *etc.* *Signed,* Cornbury, P. Schuyler, Rip van Dam, Tho. Wenham, John Barbarie, J. Beckman, Adr. Philiptes, W. Nicholl, Steph. Delanedy, J. v. Cortlandt, Tho. Codrington, Law. Read, Edmund Ward, Jona. Whitehead, Wm. Willett, Josiah Hunt, Jno. Stillwell, Cornels. van Brunt, Abrah. Lakeman, Hen. Handen, Cornels. Seberingh, Mich. Hawdon. *Endorsed,* Recd. Jan. 26, Read 18 Feb., 170$\frac{8}{9}$. *Copy.* 6 *pp.* [*C.O.* 5, 1049. *Nos.* 99, 99.i.; *and* (*without enclosure*) 5, 1121. *pp.* 357, 358.]

Oct 22 **158.** Major Lloyd to the Council of Trade and Plantations.
St. John's. I every year since my comeing to this countrey gave your

Lordshipps a particular acct. of this land; it is my misfortune to fiend they have been intercepted, by what meanes I know not, but can produce ye coppies and prove my sending of them; I hereby send an acct. and state of ye fishery of this countrey *etc.* I went myselfe or sent an officer to all ye harbours for a just information that nothing might come from me to your Lordshipps but what I co[*u*]ld justifie to be true. If hereafter your Lordshipps thinks fitt to signifie your pleasure to me in relation to that, or ye yearly Instructions to ye Commodores, I shall be proud of your commands *etc.* I have sent to Mr. Thurston, ye Agent, an acct. of ye men listed by me, *etc.* It is H.M. commands to me to send that acct. to ye Capt. Generall of ye Army, wch. I have from time to time done, and occasioned my not sending that acct. of late years to your Lordshipps. The malitious and false complaint of my enemies laid before yr. Lordshipps, I refer to ye papers ye Commodore has in answer thereto. I know my innocence, and humbly pray your Lordshipps to suspend your thoughts untill I am admitted a faire tryall in England or here. The Garrison is in as good a condition as I desire it for this winter, ye Company being full and good men, and ye inhabitants nere 800 that will winter at St. Johns, if ye enemy hurt us this year, I'le allow ye fault to be laid to my charge. *Signed*, Tho. Lloyd. *Endorsed*, Recd. Dec. 22, 1708, Read Jan. 5, $170\frac{8}{9}$. *Addressed.* 1 *p.* *Enclosed*,

158. i. Schedule of following papers. 2 *pp.*

158. ii. Inhabitants of Newfoundland to the Council of Trade and Plantations. (i., ii.) It was to their unspeakable grief that Capt. Moody was recalled, *etc.* (iii.) Since Major Lloyd's return, the people are worse used than before. They are compelled like slaves to goe into ye woods on Sundays to cutt timber for his service, and spitt upon, kickt, beaten, wounded, overladen with unequall quartering of soldiers and are dispossessed of their properties. Taxes are made without laws, raised with partiality, and whoever dared to complain are immediately either miserablely abused in their persons or oppressed in theire trade. The soldiers are lett out to hire and robbed of their wages when earned; many (to be delivered from ye depressure of theire calamityes) have been forced secretly to escape and desert theire Plantations, especially in ye winter season when ye Comodores are absent, at whose returne some come back again, in hopes to finde shelter under ye small remaines of power left in the Comodore. (iv.) Major Lloyd boasts his power and interest in England, and threatens some and bribes others to subscribe a good character of himself and an accusation of Capt. Moody. (v.) The present subscribers dare not returne to their families, if theire humble representation be known and their supplication for the removeall of Major Lloyd prove abortive. *Copy.* 1½ *pp.*

158. iii. Inhabitants of Newfoundland to [? *Commodore Mitchell*]. *Pray* that their affidavits may be taken in refutation of preceding representation. Major Lloyd has by his courage and diligence baffled the enemy, and by his continuall good behaviour highly encouraged ye industry of all people in theire fishery. St. Johns. July 3, 1708. 63 *signatures*. 1½ *pp*.

158. iv. Reply of some Inhabitants of Newfoundland to above Representation (*No*. ii). (i). Capt. Moody behaved very well during the French invasion, 1704, but afterwards plundered and arbitrarily imprisoned some of the inhabitants. (ii). Major Lloyd has behaved very well, to the general content of everybody. (iii). False in every particular. (iv). Their testimony is true. (v.) This charge is false. July 6, 1708. 74 *signatures*. 3 *pp*.

158. v. Masters of ships and merchants of Newfoundland to the Council of Trade and Plantations. The allegations (*No*. ii.) against Major Lloyd are wholly false. Pray that his services may be represented to H.M. 38 *signatures*. 1 *p*.

158. vi. Commodore Mitchell to the Council of Trade and Plantations. The replies of the inhabitants above (iii.-v.) were made of their own free will. All merchants and masters trading here unaminously agree that Major Lloyd has behaved well, *etc*. *Signed*, Jno. Mitchell. 1 *p*.

158. vii. Examination of Abraham Taverner. He knew nothing of his own knowledge as to the allegations which he signed against Major Lloyd (*No*. ii.) *Signed*, Robt. Harland, Admiral of St. Johns Harbour. Oct. 1, 1708. 1 *p*.

158. viii. Deposition of John Fletcher and Griffith Russell. Reply to petition of Mrs. Benger. We rented Poole Plantation from Mrs. Benger and her husband for £48 a year in 1707. Major Lloyde never concerned himself directly or indirectly with us about the said plantation or rent. Sept. 15, 1708. *Signed*, John Fletcher (*mark*), Griffith Russell (*mark*). 1 *p*.

158. ix. Opinion of 14 Admirals of the Harbour and Masters of ships at Ferryland, that the fishing rooms known as Pool Plantation belong by right to Phillip Kirke. Sept. 17, 1707. *Signed*, Rich. Hartnoth, James Cradock, John Wickley, Wm. Meddon, Thomas Netheway, Willm. Tetherly, John Tucker, John Piffton of ye *Kingsale*, Henery Pearden, Vice-Admll., Wm. Hodder, Rear Admll., Christopher Browning, George Stephens, Nichos. Andrews, Phillip Rowstiffe. 1 *p*.

158. x. Judgment of Commodore Mitchell and other Commanders of H.M. ships of war upon the complaints against Major Lloyd. At a Court held at St. Johns, Oct. 18, 1708. Major Lloyd has not traded, directly or

1708.

indirectly, nor let soldiers out to hire and taken the profits, but [h]is condescention to the entreatys of some masters of ships hath been the saving of otherwise lost voyages, without any damage to the Queen's service, care being taken that such was not to be without call of drum. He hath not levied any taxes as alledged but that three quintalls complained of was a voluntary subscription for the maintenance of the Minister, and to be a bank for their own particular services in order the better to defend themselves from the enemy, which hath not amounted in the whole to above £160 per annum. All these complaints have been contrived by some few disaffected persons, *etc.* *Signed,* Jno. Mitchell, S (?). Chamberlen, Rt. Harland, J. Percy, Covill Mayne, W. Ockman, Richard Prius, Admiral, Arthur Holdsworth, Vice-Admiral, Abra. Passmor, Rear Admiral. 1¾ *pp.* [*C.O.* 194, 4. *Nos.* 77, 77. i.-x.; *and* (*without enclosures*) 195, 5. *pp.* 68, 69.]

[Oct. 25.] **159.** Petty Expenses of the Board of Trade, Midsummer to Michaelmas, 1708. *See* B. of T. *Journal.* 5 *pp.* [*C.O.* 388, 76. *Nos.* 41-44.]

[Oct. 25.] **160.** Copy of Patent from K. William III., constituting Samuel Cox Naval Officer in Barbados. Westminster, Dec. 13, 1701. *Endorsed,* Recd. from Charles Cox, Oct. 25, 1708. ¾ *p.* [*C.O.* 28, 11. *No.* 16.]

Oct. 25. Whitehall. **161.** Council of Trade and Plantations to the Lord High Treasurer. Enclose account of Office expenses, Midsummer-Michaelmas, 1708. [*C.O.* 389, 6. *pp.* 369-371.]

Oct. 26. Whitehall. **162.** W. Popple to Mr. Savage. *Encloses* papers as desired Aug. 26. I do not find the affidavit of Mr. Wiberd in this Office. [*C.O.* 5, 913. *pp.* 7, 8.]

Oct. 26. Whitehall. **163.** The Earl of Sunderland to Lt. Governor Bennettt. *Acknowledges* letters of Feb. 10. You need not doubt that H.R.H. will do you justice upon your complaints of Lieut. Wilcox's behaviour to you and the Attorney General of your Island. *Signed,* Sunderland. [*C.O.* 5, 210. *p.* 121.]

Oct. 26. Whitehall. **164.** Same to Governor Crowe. I have received yours of May 18 and June 7. I am sorry you should differ in opinion from the Council of Trade, but can assure you that they have nothing personal against you, and that there is no ground for your suspicion that they are none of your Friends. I presume they will return you full answers to what you write to them, and must therefore refer you thereto. *Signed,* Sunderland. [*C.O.* 5, 210. *p.* 122.]

Oct. 26. Whitehall. **165.** Same to Mr. Jennings. I am to acknowledge yours of June 24. I have sent to the Admiralty what you write of

1708.

the necessity of a guard ship along your coast, and to the Council of Trade what you mention of the attempts from South Carolina to disturb your Indians trading with the West Indians; as also what you hint of the advantage it would be for our merchants to supply your plantation with European goods to prevent the Planters running upon manufactures of their own. *Signed*, Sunderland. [*C.O.* 5, 210. *p.* 122.]

Oct. 26.
Whitehall.

166. Same to Governor Parke. I thank you for the information you give me (July 1) of a trade carryed on from Ireland and Barbadoes to Martinico, which I have communicated to the Council of Trade, that they may enquire into the matter and consider of methods for preventing that unlawfull trade. *Signed*, Sunderland. [*C.O.* 5, 210. *p.* 123.]

Oct. 26.
Whitehall.

167. Same to Governor Handasyd. I have received yours of June 17 and July 20. You may imagine how very welcome was the news of the good success of Rear Admiral Wager's Expedition, your readiness to assist him with men is certainly very much to be commended, and the good agreement between you, as it must needs be a great pleasure to yourselves, must undoubtedly be a mighty advantage to H.M. service. You are very right in not passing the Bill which the Assembly were preparing, especially since you could not get the two clauses inserted for the preserving H.M. Prerogative and the due payment of the Quit-Rents, and the Proclamation you have issued concerning that matter may prove of good service to H.M. Revenue in your Island. Your recommendation of Capt. Oldfield to be one of the Council there was referr'd to the Commissioners of Trade as is usual in the like cases; from whom I have received an answer that the Council of Jamaica is at present full, but that he stands the first upon the list of persons for supplying the vacancys there. H.M. is not yet come to any determination in the affair of Mr. Norris whom you recommend to be a Naval Officer, nor as to what you propose of the sending a Chief Justice to Jamaica. *Signed*, Sunderland. [*C.O.* 5, 210. *p.* 95.]

Oct. 26.
Whitehall.

168. Same to Governor Seymour. *Acknowledges* letters of Oct. 13, 1707 and June 23 last past. I have transmitted to the Admiralty what you write of the necessity of a guardship on your coast, and of your letters being detained which are sent by the men of warr, and to the Council of Trade what you mention concerning the bounds between Maryland and Pensilvania, that they may consider of a method to put a speedy end to that dispute. *Signed*, Sunderland. [*C.O.* 5, 210. *p.* 96.]

Oct. 26.
Whitehall.

169. Mr. Popple to Mr. Attorney [*? Solicitor*] General. According to your desire, I send you a copy of the objections that have been made to the Council of Trade and Plantations against the Act of Nevis *for establishing Courts, etc.* (*cf.* Aug. 11, 24). [*C.O.* 153, 10. *pp.* 194, 195.]

1708.
Oct 26.
Whitehall.

170 Same to Mr. Solicitor General. Upon Mr. Pindar's petition [*see* Sept. 14], the Council of Trade and Plantations, apprehending that such passports and trade [*as desired by him*] are inconsistant with the Act of Navigation, whereby no goods may be imported into or exported out of any of H.M. Plantations in any vessels but such as do truly belong to the subjects of this Kingdom or of Ireland etc., desire your opinion whether such passes may be lawfully granted. [*C.O.* 29, 11. *pp.* 303, 304.]

Oct. 26.
Treasury Chambers.

171. W. Lowndes to W. Popple. Encloses following. My Lord Treasurer desires the opinion of the Council of Trade and Plantations, what may be a reasonable bounty for the petitioner's subsistence *etc.* *Signed,* Wm. Lowndes. *Endorsed,* Recd., Read Oct. 27, 1708. *Addressed.* ½ *p.* *Enclosed,*

171. i. Melchior Gilles to the Queen. Petitions for a charitable allowance till his wife has recovered and they are able to join the other German Refugees in New York. *Signed,* Melchior Hilg. [*naturalised Gulch*]. 1 *p.* [*C.O.* 5, 1049. *Nos.* 95, 95. i.; *and* 5, 1121. *pp.* 325, 326.]

Oct 26.
Whitehall.

172. Council of Trade and Plantations to the Earl of Sunderland. *Reply to* Sept. 20. The Councill of Jamaica is at present full. Mr. Oldfield, of whom we have had a good character, does stand first upon the list of persons for supplying vacancys there. [*C.O.* 138, 12. *p.* 332.]

Oct. 27.
Whitehall.

173 W. Popple to Mr. Attorney Generall. *Refers* to Lord Baltimore's letter, Oct. 9th, that you may be present on Nov. 8 to hear what he may have to offer," *etc.* [*C.O.* 5, 727. *pp.* 55, 56.]

Oct. 27.
Jamaica.

174. Governor Handasyd to the Council of Trade and Plantations. I have not received any letter from your Lops. by this packett. What occurrences have happened here since my last, by the *Resolution* packett boat and Fleet that sailed from hence the last month, I shall now inform your Lops. of. Two of our privateers have sent in 2 Spanish vessells loaden with cocoa and other goods, they took severall more off Campeachy, but were not able to bring them up to windward, and have either burnt or sold them. It is reported these they have brought in are very valuable, but the truth of that I am not certain of. H.M.S. *Severn* has retaken from the French an English ship bound from Barbadoes to Virginia, and sent her into port. I send your Lops. here enclosed the contract made between the French King and the Duke of Anjou and Councill of Spain, for the transporting goods from Old France, and likewise Spanish goods to the West Indies, which was found in one of the prizes, and I hope may be of service to us, when, it please God King Charles is settled on the throne of Spain. There are lately arrived at Lavera Cruz 12 ships from Cadiz, but most of them are French vessells under convoy of two men of war, one of 70 guns, the other of 50, the prisoners that are come from thence say they are all loaden with Spanish and French goods. Our sloops are not yet returned from the coast, and trade there seems to be very indifferent, they pretending that mony is scarce. In my last I acquainted your Lops. of the seizure of a Spanish brigantine that was taken by one Scrivener, without a commission, since which, the enclosed paper will inform you of the proceedings of the Court of Admiralty and Navall Officer in that affair. I have now writt to H.R.H. Secretary to acquaint H.R.H. of the same, that I may know what shall be further done. A French privateer sloop being supposed to be one of our traders, has taken from the North side of this Island one of our sloops loaden with furstick and 10 or 12 negroes that were at work, which is owing altogether to the carelessness of the people there. The men of war here are healthy, but are in great want of sailors, to supply which the soldiers of H.M. Regiment under my command are almost ffatigu'd out of their lives, for there cannot 2 ships go to sea unless a fifth part of their men are soldiers. I have received 20 recruits by this packet boat, and the Officer at Plymouth writes me word he has 60 more ready to send. The Councellors that are Factors to the Guinea Company and Judges of Courts, by which are incapable to sitt upon Appeals, I have shewn your Lops.' letter to, and told them the hazard they run of incurring the penalty of the Act of Parliament, but they all seem to think themselves very secure, except Col. Beckford, who says he will be no longer Factor to the Guinea Company; I therefore desire to know your Lops.' further opinion, since I shall not be able to make up a Councill for Appeals. The Quartering Act being near expired, I shall be obliged to call an Assembly, but am mighty apprehensive of their stubborness in relation to the allowance to the Officers, who will not be able to live without it, for their common discourse is, they do not want Officers, but private men. The Revenue is not able to support the contingent charges, and I cannot find out a method to oblige the Assembly to enable it, notwithstanding I have moved it to every Assembly, and must desire your Lops.' advice in this matter as well as others. The Island is healthy, *etc.* P.S. Since my concluding this letter we have had the ill news of the loss of H.M.S. *Dunkirk's* prize, which in pursuit of a French ship off Cape Francis, run upon a rock and broke to pieces, the French ship at the same time run upon a sand, and after some little dispute surrender'd to the Captain and men of the *Dunkirk's* prize, who got her off the sand and have brought her into port: she is an outward bound ship from France, laden with wine, brandy and dry goods, some of her cargo was disposed of at Port Rico, some they put a shore upon Hispaniola, before we had possession. *Signed,* Tho. Handasyd. *Endorsed,* Recd. 19th Jan., Read Feb. 22, 170$\frac{8}{9}$. 3 *pp.* *Enclosed,*

1708.

174. i. Copy of Contract between the French King and the Duke of Anjou for transporting French and Spanish goods to the West Indies. *Endorsed as preceding. Printed. Spanish.* 15½ *pp.*

174. ii. Copy of proceedings of the Court of Admiralty, Jamaica, in relation to the periago *Kingston Galley.* John Bill sailed with her for the Spanish coast in June, in order to dive on the galleon Admirall Wager blew up. Bill fell sick, and Benj. Scrivener taking command hoisted the privateer Jack without any commission. A Spanish brigantine taken by him was brought in to Kingston by some of Scrivener's men and there seized by the Naval Office. The Judges were of opinion that the seizure did not lie properly before them, by reason it was within the Harbour, and cognizable at law, and so dismiss'd the monition. The goods being perishable were sold by the Navall Officer at publick outcry for £1300 Jamaica mony. *Same endorsement.* 1¼ *pp.* [*C.O.* 137, 8. *Nos.* 27, 27. i., ii.; *and* (*without enclosures*) 138, 12. *pp.* 355-359.]

Oct. 28. Whitehall. **175.** Council of Trade and Plantations to the Earl of Sunderland. Enclose Address to H.M. from St. Kitts. (*See* July 7, 1708). [*C.O.* 153, 10. *pp.* 210, 211.]

Oct. 29. Bermuda. **176.** Lt. Governor Bennett to the Council of Trade and Plantations. *Refers* to letter of Aug. 4, *etc.* Inclosed are the Navall Officers' lists of vessells entering and clearing from April 4, 1706, to Oct. 5, 1708, soe that I presume, with what has been before transmitted, those accounts are stated to that day. Also is inclosed the condemnation of the sloop *Margarett* for clandestine tradeing, but the owners being much dissatisfied att the loss of their vessell for soe small a matter, have endeavoured many ways to reflect and blame the prosecution, pretending that the tobacco found on board was loose and in the sailors' chests and designed by them for their own use, and that the Master nor owners knew nothing of it. But with the tryal is the searcher's affidavit, which explains that matter. Capt. Brooke, H.M. Collector here of the Customes, has transmitted the whole proceedings to the Commissioners, whom I presume will appear to justify their Officer if further applycation is made concerning the same. Mr. Daffy haveing taken copys out of the Office of the proceedings against him at the Court of Assize, holden in Dec., 1706 for promoteing and getting subscriptions to a libellous paper, of which he was found guilty and fined £50, and being in hopes to prevail to gett that fine remitted, I have therefor now again transmitted a copy of that tryall. By the inclosed affidavits your Lordships will be informed of the cruelties the French have been guilty of among the Bahama Islands. The Justice of the Peace who took the examinations told me, that when he was interrogateing Mrs. Strode, she desired to be excused for that she was asham'd to declare what she saw and heard of their brutalities. *Signed*, Ben. Bennett. *Endorsed*, Recd. June 29, Read July 1st, 1709. *Holograph.* 2½ *pp.* *Enclosed*,

176 i. Deposition of Elizabeth Stroude, of the Bahama Islands, as to the beating and torturing of women *etc.*, at Exhuma and Illethera, by french privateers July, 1708, in order to make them divulge their hidden wealth. *Signed*, Eliz. Stroude. *Copy.* 1 *p.*

176. ii. Deposition of Samuel Harvey. To same effect as *preceding*. *Endorsed*, Recd. June 29, Read July 1, 1709. *Copy.* 1 *p.*

176. iii. Copy of Proceedings of Court of Assize, Bermuda, Dec. 2, 1706, against Mr. Daffy. *Referred to supra. Endorsed*, Recd. June 29, 1709. 4 *pp.*

176. iv. Deposition of D. Ubanks, Searcher in the Custom House, Bermuda, as to tobacco found on board the sloop *Margaret*. Sept. 29, 1708. *Signed*, Daniel Ubanks. *Endorsed as preceding*. *Copy.* 1 *large p.*

176. v. Copy of Proceedings at a Court of Admiralty, Bermuda, March 12 and 15, 1708. The *Margarett* was condemned, and Appeal granted to the Lord High Admiral, *etc.* *Same endorsement.* 8 *pp.* [*C.O.* 37, 8. *Nos.* 82, 82. i.-v.; *and* (*without enclosures*) 38, 6. *pp.* 456-458.]

Oct. 29. **177.** Mr. Solicitor General to the Council of Trade and Plantations. Reply to Oct. 26. I humbly conceive that the granting of the passes desir'd will be illegal, and directly contrary to the Act of Navigation. *Signed*, R. Eyre. *Endorsed*, Recd. 1st, Read 9th Nov., 1708. *Holograph.* 1 *p.* *Enclosed*,

177. i. Copy of Mr. Popple's letter, Oct. 26, 1708. *Addressed. Sealed.* 1 *p.* [*C.O.* 28, 11. *Nos.* 20, 20. i.; *and* (*without enclosure*) 29, 11. *p.* 311.]

Nov. 2. Barbados. **178.** Messrs. Sharpe, Walker and Beresford to the Council of Trade and Plantations. *Refer to former letters, and their charges against Governor Crowe.* We hoped that H.E. would have waited H.M. determination of this affair or given us an opportunity of makeing good our charges, but on Sept. 25th he removed us from the Council Board for presenting him with a scandalous libel, as he was pleased to call our representation, and tho' we insisted at the Council Board that we had done nothing but what we conceived was our dutys pursuant to our oaths, and had been prevented from offering in Council by the several adjournments therein complained off, and tho we earnestly prest him that the said Representation might be read at the Board and that he would enquire into the several allegations, and offer'd to prove them all and tenn times more, yet nothing coud prevail on him to doe either himself or us justice, but proceeded to suspend us from the Council, tho several members offered to protest against such suspension,

1708.

and pray'd that we might be admitted to make good our charge, which he rejected. We submit it to your Lordships consideration. if the suspension of Members of H.M. Council for offering their advice in matters to which they are obliged by their oaths will not have a very fatal influence on the publick affairs, *etc.* *Signed,* Saml. Beresford, Alexander Walker, Wm. Sharpe. *Endorsed,* Recd., Read Jan. 19, 170$\frac{8}{9}$. 1 *p.* [*C.O.* 28, 11. *No.* 47; *and* 29, 11. *pp.* 374-376.]

Nov. 2. Barbados. **179.** Major Pilgrim to the Earl of Stamford. My last of Aug. 28 acquainted you of my health and safe arrivall with my wife and daughter in this poor distressed Island, occasioned by the illegall and arbitrary proceedings of Mr. Crow, who governs by his will and pleasure, as is dayly seen by everyone, to the great greif of the poor inhabitants, a great many of which have been ruin'd by the late Paper Act, and now Mr. Crow with the Assembly are projecting another Paper Act, which if he can get to pass the Council will wholy ruin the poor Island, which he endeavours to accomplish by suspending Mr. Sharpe, Mr. Walker, and Mr. Berrisford, for acquainting him of his illegall and arbitrary proceedings, *etc.* He has placed two in their places, (*viz.*) one Barwick that came here from England in the ffleet with me, and is Mr. Blathwait's kinsman, and will doe what he will have him, the other is one Aynsworth, who is another tool for his purpose, at the suspending the above gentlemen, Mr. Cox and myself did protest against his suspending them, and desired our protest might be entred in the Council book, which we showed to him, which he refused, telling us he did not ask any man's consent to the suspending them, but did what he thought fitt; I asked him why he called a Council, there being no other business that day, if he did not intend to take their advice, to which he replyed, he would call them when he pleased; the next sitting of the Council, the Minutes of their sitting before was read, and there the Minutes said the former day's minutes were read and approved of, to which I told him it was a wrong minute, for that Mr. Cox and myself desired our protest might be entered, and we were dismissed, so that we did not approve of the same, his answer was nothing should be altered, and we might write for England and make the most of it we could; and the last sitting of the Council, there were severall petitions heard, there being only five Members which made a Council and Mr. Crow, a petition being read and argued, three of the Members were for the petitioner, two against him, Mr. Crow voted against him, which made the votes but equall, nevertheless he gave it against the Petitioner; I told him the votes were equall, and unless he had two votes, it was not carried, his answer was, wherever he voted, he would carry it. By all which your Lordship may see he will doe what he thinks fit; he has now severall suits depending in the Chancery where he is Judge in his own cause, he has also severall suits at the Common Law now depending, and no Governour before him ever had the like,

1708.

he has a Judge in the precincts where his causes are to be tryed, that will doe what he will have him; the said Judg is Speaker of the Assembly and is more in debt than he is worth; so that did not Mr. Crow keep him in a Judge, his crediters would fall on him, and extend all his estate, so that this Judge must do something for this favour; you must also note that this Judge is Judge in the precincts where his estate is, so that he also is Judge in his own causes. As to the Millitia, he makes so often alterations in the Feild Officers, in turning out and putting in new ones, that at this time we have not two regiments settled in the Island, which would be of ill consequence, were we attack'd; by all which I hope your Lordship will commisserate our deplorable condition, by making known the same to H.M., that we may be releived from a Governour that has acted illegall and arbitrary, which will easely be made to appear very plain by the suspended gentlemen, and by a great many other complaints made against him. *Signed,* Jno. Pilgrim. *Endorsed,* Recd., Read Jan. 20, 170$\frac{8}{9}$. 3 *pp.* [*C.O.* 28, 11. *No.* 48; *and* 29, 11. *pp.* 377-380.]

Nov. 2.
Barbados.

180. Governor Crowe to the Council of Trade and Plantations. *Acknowledges* letters of July 13, Aug. 4 and 13. Your Lordships' commands shall be punctually observ'd, *etc.* I cannot but take notice of the Custom-hous officers' remissness in their duties; they pretend to dispose of all inferiour places by order from the Commissioners in London, so that Governor's directions is not regarded by them, nor will by any others, except H.M. will be pleased to support it by showing her displeasure on those that have so scandalously condemn'd it. *Refers to enclosures.* I hope that your Lordshipps will make such a representation thereof, that I may have justice don me—and the authority of the Governmt. preserved, for as it now is, a Governor's whole time is taken up in vindicateing himselfe against the unjust aspertions of a sett of ill-designing men, who want nothing but a change, in hopes their corruptions will (as heretofore) then take place. I refer your Lordships to the Minutes of Councill of Sept. 25th for my reasons of displaceing them, wch. I doubt not will be as well approved off by yr. Lordships as it has been here; there then wanting two Members to make up the number seven, I offer'd to reinstate Col. Hallet and Mr. Salter, but they both refus'd it, with this excuse, off experiencing the uncertainty of the continuance, so I thought it was not proper to run the hazard of the like answere from Messrs. Colleton and Warren, therefore pitcht upon Mr. Samuel Barwick and Mr. James Aynsworth, who are gentlemen without exceptions, and very agreable to the people Yr. Lordshipps will receive their characters from their ffriends in England, wch. I hope will be so satisfactory to yr. Lordshipps, that they will be confirm'd by H.M. At the request of the Grand Jury, Generall Assemblie, and Attourney Generall I have, with the unanimous advice of the Councill,

1708.

alter'd that rule in the Chancery Court, whereby the Register in Chancery unjustly demanded and kepp 10 p.c. (of all mony deposited) for his own use. Mr. Mein, who went home in H.M.S. *Greenwich*, can give your Lordships a very particular acct. of all occurrences dureing his time. I suppose your Lordships will think fitt to supply his place in the Councill. H.M.S. *Weymouth* about 20 days ago took off Martineek a French shipp of 120 tunns loaden from Nants with beefe, pork, flower, wine and brandy, wch. has been sould here. The Assembly are now about raising a leavy to pay off the country's debts, wch. amounts to above £20,000, but the methods they propose are not so agreable to the merchts. as I could wish, the bill now lys before the Councill, for their consideration. As soon as the publick accts. are all stated, yr. Lordshipps may depend on a coppy thereof. *Signed*, M. Crowe. *Endorsed*, Recd. 22nd, Read 24th Jan., 170$\frac{8}{9}$. 3 *pp.* *Enclosed*,

180. i. Representation of Mr. Sharp, Mr. Walker and Mr. Beresford to Governor Crowe, touching his maladministration, *etc.* *Duplicate of* Sept. 1, 1708. *Endorsed as preceding.* 7 *pp.*

180. ii. Governor Crowe's Reply to the foregoing complaint. Nov. 2, 1708. The Council has alwayes been called when anything occurred, and never mist the usual monthly sittings, but on Aug. 3 last, which was occasioned by a cold and feaver that confined me to my chamber for four days, and on the meeting of Council, Aug. 30, I gave them the reasons for not holding on the next day, which they then approved off, and notwithstanding I demanded, if they had anything to communicate for the service before the Council was adjourned, they declared they had not as per the Minute here adjoyn'd, and by those already at large sent home, will appear. Although they tell of general dissatisfactions (which I immediatly thought convenient to inform myself of by the Generall Assembly), your Lordships will perceive the falcity of that assertion by said General Assembly's Address. It has alwayes been the custom of the Assemblys to meet (altho' the Council did not sitt) to prepare buisness or bills, in order to be passed into laws by the Governour and Council, as by all former Minutes of the Councill and Assembly sent home may appear I never did, nor do they instance any Cause of Error or Grievance determin'd without the due forms by a majority of the votes of the Councill, and as to what relates to ye affairs of Sir Willoughby Chamberlain, as my wife is sole executrix, all determinations relateing thereto was unanimously consented to and adjudged by the Council, and their prayer for my decreeing accordingly. I have duely observ'd H.M. Instructions in the disposal of Civil Offices, nor do they give one particular instance to the contrary, and as to ye millitary, I refer to

the above Address, of the satisfaction of the people under the present Officers. But I must observe that untill this paper, those Gentlemen, if there had been any error committed, never were so just as to advise me thereof. I never consented to the Assembly's employing any Agents in England, nor did the General Assembly ever ask my leave for so doeing; as for the Council not sitting so often as at my first comeing, the reason is evident, that I then so regulated the affairs of the Government, that there was no occasion for such a constant attendance, nor do they mention one instance. As to the dreadfull apprehensions of another Paper Act; I referr to the General Assemblies Address. As to the charges 3, 4, 5, 7, *refers to enclosures*. As to 6, setting aside orders, I apprehend it was alwayes the custom of the Court of Chancery in this Island to be determined by the vote of the Chancellor when the votes were equal, and so the Barristers were of opinion, otherwise the party supposed to be grieved would have objected thereto. (7). If my private secretary, Mr. Skene, committed any abuses in extorting undue fees, it was contrary to my orders, and what I am wholly ignorant of, never haveing had any complaints relateing thereto. Nor did ever I determine any matter of law by private petitions, they do not give any instance, only that I threatned Mr. Summers, wch. was for abusive language, and not for not complying with the just debt; I have to relieve the poor (who before my arrival were much oppressed, and durst not complain of a rich planter, for if they did to any neighbouring Justice of the Peace, had litle or no redress.) I set aside one day of the week to hear their complaints, and have taken all proper methods to relieve them, which was the only means to protect them from their accustomed oppression, and to keep them amongst us, as also to oblige the Justices of ye Peace to comply with their dutys. As to the case of Bamfeild against Waterman, the petitions are not to be found in the Offices. So that I cannot remember what was ordered in that case, but that there's no complaint from the partys. (8). As to stopping executions after judgment at Common Law, it has alwayes been done by petition and injunctions granted. (9). As to Mr. Arnol and Grey's fine, it was done on their petition according to my Instruccions; it's true Mr. Arnol being next neighbour to one of my plantations and seeing the neglect of my overseer, did send 30 negroes for two dayes to help to hole a piece of ground, wch. is not yet paid for. It amounts to £1-10-0 at 7½ per day. (10). As to Mrs. Walter's recovery against Farmer's estate, *refers to enclosure*. On the day appointed for the hearing the petition, it was dismisst by the plaintiff's consent, on a better understanding between her and the defendants, as I was informed. They do not instance any one case of hardship putt upon any person, on a private petition. (11). As to the affair(s) of the Grand Sessions, I do not now remember it. But why did not these Gentlemen who were Councillors, as Messrs. Sharpe and Walker, and at that time on the bench, as it was their duty then to have informed and advised me better, if by my then sickness in Court, or inadvertency any mistake had been committed. Nor did I ever hear this affair mention'd before this paper charge. It was also the duty of the then Attorney General to have protested against any irregularity of ye Court. (12). There is no instance given or ever any question made (but by these Gentlemen) of my partiallity in judgment, either in Chancery, Error or Grievances, nor of receiving any presents but from Mr. Slingesby. *Refers to enclosure.* (13). If I continued at Pilgrim after the Act of £500 was past, it was well known the reason was because I could not rent a convenient plantation, and that my own house was at that time fitting up. (14). As to imprisoning Judge Buckworth, *refers to enclosure.* The noli prosequi was entred by the Attorney Generall without any order from me. (15). As to the committing the undergoaler Smal, it was for contempt and letting prisoners for debt goe out of prison. (16). As to imposeing new oaths, it's like the rest, false. (17). As to trade, I have been so far from discourageing, that never no Governour went so far to encourage it. (18). And as to the *Sherbrough* ffrigot, I believe the concern'd do not think they have any ground for complaint. That affair would have been brought to a trial, if the Custom House Officer who ought to have prosecuted, had not failed in his duty. I never gave any orders, or obliged, or ever so much as spoke to any Master to have his petition drawn by my private Secretary, or ever refused, when it was propper and consistent with H.M. Instructions, to sign any petition for sailing, nor do they pretend to give an instance, but in the general discontent. (19). As to appointing Coll. Cleland Lieut. Governor, these Gentlemen would make a handle thereof to insense the People, who know as well as they that no Lieut. Governor can be appointed here but by H.M.; so I could not by letters or otherwise pretend to the disposal of it without H.M. approbation: whatever might be pretended in this was before I left England, when H.M. was pleased to order my returning into Spaine as her Envoy extraordinary and Plenipotentiary but, on the planters' and merchants' petition for my comeing directly for Barbados, there was an end of it. (20).

As to the not passing the new Excise Bill, it was the Gentlemen of ye Councill who disputed it with the Assembly on account of the Agency being incerted therein, and had several conferences with them thereon, nor was ever the General Assembly adjourned on that account; much to the contrary, long before their time expired they were ordered to sitt de die in diem, untill that should be accomodated between them, to which I referr to the General Assembly's Address; nor in the interval, to the best of my memory, did there more than one smal sloop arrive with 35 pipes of wine consigned to Mr. Mackenzie, the duty whereof amounts to no more than about £157-10-0. (21). As to the alterations in the Militia, I was several months in the Island before any was made, and those that has since been, are to the general satisfacion of the people, as appears by the Assembly's Address. (22). As to the Brigadeer, there are two that bears that Commission, which they mean doth not appear, but I must do them both that justice, as to declare my opinion of their being gentlemen of as good estates, and as much honour, courage and integrity as any in this Island. And as to the Judges, there has been but two new ones made since my arrival. The first was Coll. Reynd. Alleyne, of whom I have not heard any complaint, and Coll. Downes, who has for some years been Speaker of the General Assembly, and in his place as Judge done his duty with as much expedition and justice as ever any man that sat on that Bench. Whatever disadvantages any of these Gentlemen might at my first comeing to this Island lye under by misrepresentations to me from some of these discontented persons or others, I have now been long enough here to know them personally, and think myself obliged to acknowledge my satisfaction with their conduct and proceedings. As to their charge of my illegally dispensing with the law in Coll. Holder's case, it is as falsely represented as the rest; ffor what was done in that case was in a Court of Grievance and voted by a majority of the Councillors, by which I was obliged to give sentence, so that I had no other share therein than to pronounce the judgment, as in all other cases, which is carried by a majority of votes in Council, which by my oath I was obliged to, as the General Assembly was soon sensible of, and that was the reason they did not proceed on the Representation, haveing detected the false insinuations by which they were led into that error, and Mr. Beresford gave his vote for ye supporting that Order he now exclaims against. So that there doth not in the least appear what they so falsly and scandalously assert, that by any way or thing I have prostituted the dignity of

1708.

the Government, or sacrificed the publick good to my private safety, etc. (23). As to their additional charge, dated Sept. 1, 1708, their false pretence of want of oppertunity or time to consider of publick affairs is answered by the Minutes of Councill, and as to the Assemblys addressing H.M. without the concurrence of the Council, it is both parliamentary and hath often been done by former Assemblys, and is a priviledge that even a private subject cannot be debarred from, nor did any of these Gentlemen give me notice of such proceedings of ye Assembly (untill by their paper), that I might, if there had been any just grounds, have stoped it. (24). And as to my permitting of the Assembly disposing of the publick money without advice of the Council, it is so notorious[*ly*] false, that the Assembly never offered or demanded any such thing, as by their Address. So that I think it's plain how falsely and scandalously they have abused me. Upon the whole matter it appears that the instances these gentlemen have given of male administracion (if they were true), were matters transacted many months since, so that, if the zeal they pretend for H.M. service and a due administration of the affairs of this Governmt. were real, they, on consideration of their oaths and duty as Councillors, ought long since to have given me their opinion and advice in these matters, which I do averr they never did till the delivery of the said paper, excepting only Mr. Sharpe's protest concerning the business of Coll. Holder, which was the last Council day before the delivery of this paper: and it is observable that they do not so much as pretend they had ever given me any advice in the affairs complained of, till the delivery of said paper, which would have been such an aggrevation as they would not have omitted, as may appear by the temper shewed in their remonstrance. I beleive they will not be justified in treating me in the manner they have done, when I am by H.M. Commission their Governour, which could tend only to create sedition and ffaction in the Island, and endanger the safety thereof. What this action of theirs and their publick proclaimeing and bragging of it had like to have produced may in part appear by *enclosure*. In respect to the Queen's authority, I think their advice should have been given with some decency and modesty, and without the many unnecessary and impertinent reflections with which it is filled. And if my managment of this Government had been imprudent or even criminal, till H.M. had judgd it so, I beleive they cannot justifie their insolence, which, if it go uncensur'd, will be a president for the like treatment of future Governours, the consequence of which may be easily forseen. It was neither zeal for the Queen's service nor sense of their duty that moved these Gentlemen to deliver the said paper to me, but some of the true reasons are these:—On Aug. 31, 1708, in the Assembly of this Island there happened some warm debates concerning the accusation and imprisonment of Mr. Lillington and Coll. Downes for High Treason, in the later end of Sir B. Granville's Government, and the forceing from one of them, as it was said, great summs of money. The Assembly thought it very much for the safety of H.M. subjects of this Island that so villainous a practice should be thoroughly enquired into and detected, and in the said debates Alexander Walker and his brother William Walker Esqs. were by some of the Members charged to be persons against whom there was violent cause of presumption, that they first had suborn'd an evidence to swear against the said gentlemen, and that they had after their commitment made their advantage of it, but that debate was adjourned till a further and more particular discovery might be made, wch. I am informed is carried so far that one or both of those brothers will probably have a trial at ye next Grand Sessions, which is to be on Dec. 12 next. The Assembly then proceeded to consider of other transactions of Alexander Walker, and particularly of his takeing a sum of money of Col. Holder for promoteing and voteing for the Banke bills issued in the time of Sir B. Granville, the said Walker being then a leading Member in the Assembly, on which they made an Address to me (*enclosed*). The said Walkers sometime before foreseeing that there would probably be some enquiry made into those matters, by many applications and insinuations endeavourd to gain the same credit and power with me that they formerly had with Sir B. Granville, supposeing that the only way by which they could avoid the penalties of the Law if they were prosecuted here, but being before that well informed of their characters, their endeavours were in vain. Thus the matter stood till the Assembly proceeded and addressed as aforesaid on Aug. 31, when, finding themselves without the protection they expected, and despairing thereof whilst I continued in this Governmt., they framed the aforesaid libell, and Alexander Walker prevailed with Mr. Sharpe and Mr. Beresford to joyne with him therein, and deliverd it to me the next day after the proceedings of the Assembly, being September 1, artificially dateing the first part of it August 27, as if it had been prepared sometime before the said proceedings of ye Assembly. To omit many other reasons which Sharpe had, not to seperate himself from the Walkers (with whom he has alwayes been strictly united), his very great debts

1708.

and low circumstances in ye world have given him sufficient occasion to be dissatisfied with the frequent sitting of the Courts and more speedy execution of justice in the time of my Government than was formerly used in this Island, as by the Records of the Courts and the general confession of all persons interrested here may appear by *enclosure.* It will likewise appear that he now owes the sum of £15,739 by judgments, besides what he owes on bonds and open accounts, so that for want of the security from payment of his debts which he formerly enjoyed, and the hopes he publickly declared he has of this Government on the next vacancy, he has been tempted to joyne with the said Walker. As to Mr. Beresford, he was first placed in the Council by Mr. Sharpe in the time of his Presidentship, and is a dependant on him. His low character in the Church I believe is well known to my Lord Bishop of London, his Diocesian, as well as to all persons here, some part of which will appear by the depositions of Brigadeer Thomas Alleyne and Mr. Salter, sent herewith. I think his temper will likewise appear by the paper to which this is an answer, which showes not much of the spirit and discretion of a worthy and sober Divine fitly qualified to be a Member of H.M. Council. What I believe has most provoked those Gentlemen is to see their scheem of Government projected in the President's time by Mr. William Walker, as by his letter to Coll. Cleland, and Cleland's explanation thereof to the Assembly, wholly frustrated. Coppy goes herewith. I hope by what has been said it will appear that those three Gentlemen has falsely and scandalously abused me. *Signed,* M. Crowe. *Endorsed as preceding.* 10½ *pp.*

180. iii. Certificate that the following are sworn copies of the originals. *Signed,* M. Crowe. Nov. 1. 1 *p.*

180. iv. (a). Minutes of Council of Barbados, Aug. 30, 1708.

180. iv. (b). Address of the Assembly of Barbados to Governor Crowe, in reply to the paper of Messrs. Sharpe, Walker and Beresford. Sept. 4, 1708.

180. iv. (c). Depositions and petitions of Arthur Slingesby, Susanna Scott, John Pittman, Thomas Baron, Tho. Godfrey, Arthur Upton, W. A. Moore, Wm. Godman, Wm. Shuller, Patrick Thomson, John Holder.

180. iv. (d). Minutes of Council of Barbados, Oct. 11, 1707—July 6, 1708.

180. iv. (e). Copy of Warrant for arrest of Cuthbert Mitford on the petition of Joseph Swaine. Nov. 1, 1705.

180. iv. (f). Copy of petition of Richard Williams and an order against John Summers for payment of a debt referred to therein, after he had refused to attend the Governor. Aug. 18, 1707.

180. iv. (g). Copy of petition of Katherine Herbert, and sum-

mons against Alexander Walker, dismissed July 26, 1708.

180. iv. (h). Depositions by Thomas Baron, Secretary, that he cannot find in his office the petition said to be preferred by John Holder against the proceedings of the Bank Marshal, or of Gibbes *v.* Walter, or Bamford *v.* Waterman. Oct. 12, 1708.

180. iv. (i). Petition of Manuel Manasses Gilligan and Butler [*Chamberlain*] his wife, administratrix of Sir John Witham, Bart., for leave to appeal from a decision upon an action of detinue against William Battyne, Cuthbert Mitford and John Cleland. Granted, provided the negroes in debate be found upon appraisement to be of the value of £500. Leave to appeal was then refused, April 24, 1708, upon the grounds that the warrant of appraisement was not duly executed.

180. iv. (j). Address of the Assembly to Governor Crowe, Aug. 1, 1708. Pray that Alexander Walker may be removed from the Council, if Col. Holder's allegation be proved, that he received £527 out of the profits of the Bank Bills, he having zealously promoted the Paper Act, *etc.*

180. iv. (k). Certificates of 20 judgments entered against William Sharpe since 1681, varying in amounts from £3000 downwards, upon which no satisfaction has been made. *Signed*, Wm. Burnet, Cl. Cur.

180. iv. (l). Deposition of Capt. Alexander Arnot, that in 1706 he with Capt. Christopher Jackson, entered into bond of £2000 for Cuthbert Mitford, then taken up on a *ne exeat insula* on a bill in Chancery filed against him by the Attorneys of Mitford Crowe, then in England. Soon after, they caught him at sea endeavouring to escape and refused any longer to stand his security. Oct. 28, 1708.

180. iv. (m). Deposition of Richard Downes, Nov. 1, 1708. On Sept. 4, when he was with H.E., Mr. Bate waited upon deponent. In reply to his enquiry by letter as to his business, he received a letter from Mr. Bate: "Sir, my business was to give you a letter from Col. Codrington, written at the desire of 4 or 5 gentlemen, who are willing to preserve the rights of their constitution as long as they can. The business of the letter was this, that if publick business could not be dispatcht without private quarrells (which as it was your duty, so you had authority enough to prevent), it was not reasonable Mr. Maxwell and Mr. Carter should be engaged alone, but that Mr. Carter had 3, 4 or half a dozen freinds to attend him whenever his enemys should think fitt to call on him. Wee went to drink chocolat with Col. Carter this morning, and haveing made him our complements came back to towne. *Signed*, Raynes Bate. Sept. 5, 1708. For the honble. Mr.

1708.

Speaker Downes. *The whole endorsed,* Recd. 22nd, Read 24th Jan. $170\frac{8}{9}$. 62 *pp.*

180. v. Address of the Assembly of Barbados to Governor Crowe Oct. 5, 1708. Return thanks for abolishing the practice of the Registrar of the Chancery Court in keeping to his own use 10 p.c. of money deposited in the Court. *Same endorsement.* 1 *p.*

180. vi. Deposition of Thomas Alleyne, Oct. 8, 1708. After the Council had risen from business, they were one day discoursing of the debaucherys of the youth of this Island, and particularly toward ill women. Some of the company said that Oxford and Cambridge affoarded as great oppertunitys for that vice as any place else. Deponent replyed, he was sorry to hear that, he haveing a son at each University, and that if he should know either of his sons guilty of such wickedness, he would discard them from his favour. Mr. Samuel Beresford said he was of a quite different opinion, *etc. Same endorsement.* 1 *p.*

180. vii. Minutes of Council of Barbados, Sept. 25, 1708. *Same endorsement.* $2\frac{1}{4}$ *pp.*

180. viii. (a). William Walker to Col. Cleland. A project for sharing the Government in Mr. Sharpe's Presidentship. W.S. to be made Commissary General with the allowance formerly projected, and the Treasury being secured to J. H[*older*], I believe he'l be content to quitt the Bank. Then W. C[*leland*] and A. W[*alker*] to have the management of the Bank, and J[*ohn*] S[*harpe*] to have the direction of it under them, with a certain sallary, and W. S. to have out of the profitts of the Bank £4 or £500 per annum. And in regard of the loss the Register's Office will sustain by reason of the Bank credit, R[*obert*] S[*tewart*] or W. W[*alker*] dureing his continueing in the said office be allowed £4 or £500 per annum out of the profitts of the Bank. The letter is signed Philotas and writt in Mr. William Walker's own hand.

180. viii. (b). William Walker's explanation of above to the Speaker. April 24, 1707. Neither Col. Holder nor I approved of this project. Another project was by James Vaughan, who declared the President was to have £2000 to dissolve the Assembly and grant new commissions *etc. Signed,* Wm. Cleland. *Same endorsement.* $1\frac{1}{2}$ *pp.* [*C.O.* 28, 12. *Nos.* 2, 2. i.-viii.; *and* (*without enclosures*) 29, 11. *pp.* 385-390.]

Nov. 2.
Whitehall.

181. The Earl of Sunderland to the Council of Trade and Plantations. *Encloses* extracts from Col. Jenings' letter of June 24, relating to Indian trade and European goods etc., and from Governor Parke, July 1, relating to trade with Martinique. "Of which advices, you'll please to make such use as you shall judge to be for H.M. service." *Signed,* Sunderland. *Endorsed*, Recd. 3rd, Read 8th Nov. 1708. 1 *p.* *Enclosed*,

181. i., ii. Extracts of letters referred to in preceding. *See under* June 24 and July 1. 2½ *pp.* [*C.O.* 5, 1316. *Nos.* 6, 6. i., ii.; *and* (*without enclosures*) 5, 1362. *pp.* 303, 304.]

Nov. 3
St. Christophers.
182. Governor Parke to the Council of Trade and Plantations. Inclosed I send an Address from the Lt. Governour and Councill of St. Kitts to the Queen, all has signed but Capt. Crook, who is so disabled with the gout he cannot hold a pen, or he had sign'd it, the Assembly as soon as they sitt I dont boubt [*sic*] but will signe it; I am but just come from Antigua, as soon as the Fleet is dispatched, I shall vissitt the other Islands of Nevis and Montserratt. I have no doubt but to have an Address in my behalfe from them, notwithstanding Col. Hodges is my enemy whome I disobliged by chaseing away the Daneish sloops; I have sent an attested coppy of the Lieut.-Governour and Councill of Antigua's letter to me and their letter to Mr. Cary their Agent, for I ordered them to be entred on the Councill Books; It's very surprizeing that I should be guillty of so many crimes, and in such a small Government, and that nobody should know of it but a caball of five or six people, for tho by extraordinary methods they have got many to signe the Articles and Address, yet they know not what they are; I hear they have taken depositions before the Cheif Justice, one Samuel Wattkins; I beg leave to informe your Lordshipps the charectar of this man. I found him Cheif Judge, and by my Instructions was not to turne him out. Sometime before he was made Cheif Justice, he murder'd a man that had neither stick or sword in his hand, the Jury here brought him in guilty onely of manslaughter. (There never was any inhabitant that ever I heard of brought in guilty of murther; There was a merchant once, one Lloyd, they did bring in guillty, the reason they gave, he had sold his goods too dear). Coll. Codrington pardon'd his manslaughter, and some time after was made Cheif Justice, therefore he thinks he ought to do all manner of clandestine things to carry on Codrington's intrest. I have the misfortune to disoblige this Gentleman by makeing a decree; the story is this, one in Buckinghame had sent some goods to Antigua, he to whom they were sent died; Wattkins, the cheif Justice, and Mr. Feild were executors; Feild refused, but Wattkins acted as Executor, one Andrew Martin was sent over to sue Wattkins, but was three years about it to no purpose, at last brought it before me in Chancery, he plainly prov'd his debt. I had the whole Councill with me, who were unanimous of opinion I ought to decree for the Plaintiff, which I did; 'tis impossible for your Lordshipps to imagine what a clamour this decree made, tho' the most just in the world. That which galled them was that an attachment went to take him up untill he had paid the man the mony decreed, this they cryed was ruineing the Island and breaking into their constitution, for by their Court law a debtor may tyre out

his creditor till he obliges him to take what he thinks fitt; for after a man has obtain'd judgement, he must give 20 dayes notice to the debtor before he can lay his execution. In that time he removes what the execution can be levied upon to his next neighbours, and it must be 6 months before he can have another, and then he must againe give 20 dayes notice, and so on for eighteene months, and if the Marshall should catch his effects (which is very improbable), then the creditor must choose two and the debtor two men to appraise the goods, and the Law sayes, except they all four agree, it shall be no appraisement, now 'tis hard if the Debtor cant find one friend that will not agree to the appraisement; so that I may justly say they have established iniquity by a Law, and in Antigua any man may choose wether or not he will pay his debt, tho' one has his bond or judgement; this may seem strange, but 'tis very true, read but the Law, and your Lordshipps will see it; What they call my goeing about to ruine their country would be the makeing of it, they would have more goods sent them, if a man knew how to come by his owne, after he had trusted it out; and if the rich did not oppress the poor as they do; a fellow that a few years ago was not worth a groat haveing by wayes and means got into a Plantation and some negroes, tyranises over all the poor about him worse than a Bashaw; There is one Daniel Mackenin, that 20 years ago was chyrurgeon to a little merchant ship, has drove off the Island near a hundred men, all the land where he lives was inhabited by poor people, that live upon some three, some five and some ten acres of land, for a little land here will maintaine a poor family. I could name you severall instances of the like kind, thus the poor are drove off, and the Queen loses so many subjects; for they go to the Dutch or Daneish Islands, or to some of the little Islands to Leeward, which is the same thing, for what they make they sell to the Dutch or Danes; 'tis the intrest of the Brittish Nation that the Islands should be well inhabited, and not ingrossed by a few rich men; all these Islands decreases in inhabitants every year, and will do so untill the Parliament makes some laws to keep the poor on the Islands, and keeps the rich from breeding up their slaves to all manner of trades, and from oppressing the poor, and wholesome laws to encourage trade by makeing it easy for creditors to come by their debts, and the poor have justice against the rich; it must be the Parliament must do it, for they have such laws putts it out of the power of a Governour, except he will dispence with their Laws, wch. I shall observe, tho' they were worse than they are (which can hardly be). Whatever Governour goes about to remedy these abuses, and will hear the complaints of the poor against the rich will fall under the same fate with myselfe, bring a wasp's nest about his ears; there are a great many Gentlemen, as all the Councill in generall, would gladly make laws to remedy these evills, but the Assemblys will not give into it. Your Lordshipps may see in the Minutes of the Councill of Antigua how many

1708.

messages I sent with the consent of the Councill to the Assembly to get a wholesome law made for regulateing the Courts of Judicature *etc.*, but to no purpose; my endeavouring both publickly and privately to perswade them to make wholesome laws, and my endeavouring to prevent a clandestine trade to the French, Dutch and Daneish Islands carryed on by the Factors here to the prejudice of the merchants in England (for 'tis with the effects they ought to send home to their employers that they carry on this trade). These, my Lords, I may justly say they think are their great greviances whatever else they may pretend to, or they had not subscribed such a great summ of mony to be disposed off to gett me removed that have done no one of them any injury either in their person or estate, nor never took any advantage of any masters of ships not haveing his register; but on the contrary have to the utmost of my power encouraged all fair traders (tho perhapps Mr. Chester may say his sloop that was catched landing of hollands and other goods was a fair trade). I never spared my person any fateigue to do the Islands good, and yett I am complained off, and not paid my sallary for house-rent neither; they would neither do that nor give the soldiers quarters except I would give away the Queen's negative voice; this was what Codrington contrived for me; if I had betrayed my trust, the Queen would have removed me, if I did not, they would give me no sallary. *Signed,* Daniel Parke. *Endorsed,* Recd. 18th, Read 20th Jan., 170$\frac{8}{9}$. 6 *pp.* [*C.O.* 152, 8. *No.* 5; *and* 153, 10. *pp.* 267-273.]

Nov. 3. St. Kitts. **183.** Governor Parke to Mr. Secretary Boyle. *Encloses* letter from Lt. Governor and Council of Antigua and address from St. Kitts, by wch. you may see what just cause Col. Codrington and his emissarys have to frame articles against me. They have raised a great summe to be distributed in order to gett me removed, in their cupps they name how much such a one is to have and how much another, whose names I durst not so much as mention beside a vast quantity of cytron water for presents, for my part I could not gett any, Col. Codrington had bought it all up in Barbadoes. I don't doubt but their articles will prove as falce and scandalous as Mrs. Bowden's, in whose petition there was not one word of truth, as I have allready proved, and by the next packett will be certefied by the Lt. Gover. and Councill of this Island: and yet this scandalous petition was read before the Queen and Councill as was procured only to throw dyrt: my friend Col. Lillingston, who is Mr. Bowden['*s*] brother, I sopose had read Machiavill, both he and Codrington think if they fling dyrt enough some will stick. *Signed,* Daniel Parke. *Endorsed,* Recd. Mar. 12. *Holograph.* 2 *pp.* *Enclosed,*

183. i. Governor Parke to Mr. Secretary Boyle. Sept. 29, 1708. *Duplicate.* 2 *pp.*

183. ii. Lt. Governor and Council of Antigua to Governor Parke. Aug. 24, 1708. We do not know of any male-

administration your Excellency has committed, *etc.* *Duplicate.* 1 *p.*

183. iii. Address of the Lt. Governor and Council of St. Kitts to the Queen. Oct. 31, 1708. In praise of Governor Parke, *as preceding.* We conceive the Articles of complaint against him will be deemed groundless. The malecontents have raised £5000 to be disposed of by Mr. Nevin, *etc.* *Signed,* Mich. Lambert, Hen. Burrell, John Garnett, Steph. Payne. 1½ *pp.* [*C.O.* 152, 42. *Nos.* 10, 10. i.-iii.]

Nov. 3. Whitehall. **184.** W. Popple to W. Lowndes. *Reply to Oct.* 26. The Council of Trade and Plantations are informed the surgeons are in hopes the said Gilles' wife may be cured of the cancer in her breast in 3 or 4 months time. *Proposes* that he and his family be allowed H.M. bounty in proportion as the other Lutherans before their departure. [*C.O.* 5, 1121. *p.* 327.]

Nov 8. Whitehall. **185.** Council of Trade and Plantations to the Queen. *Representation* upon Addresses from New Hampshire for a supply of arms *etc.* By reason of the great charges and loss of men which the inhabitants have sustained in their necessary defence against the frontier Indians, assisted by the French from Canada and Port Royal during the late and present war, we do believe they are much weaken'd, and reduced to a necessitous condition. The Province lying to the sea, and the principal settlements thereof being on the Piscataway, a large and navigable river, (among other advantages in trade) it is so well furnished with ship timber of the best sort and largest size, that it supplies masts and other materials fit for the use of your Majesty's Royal Navy; we are therefore of opinion that all due care should be taken, and fitting provision made for the security of that Province, which (in regard of the present condition of your Majesty's subjects there) will require a supply from your Majesty of such stores of war as may be proper for their defence. Col. Dudley having omitted to transmit to us a state of Ordnance Stores there (for the doing whereof circular letters have lately been sent to him, and to the other Governors in America) on this occasion we writ to the principal officers of your Majesty's Ordnance for an account of what stores of war were last issued by them for the use of New Hampshire, and when issued, who having made a return, we find that in July 1692 a supply of powder and small stores was sent thither from that Office, but it does not appear that any cannon or small arms were then sent, or that these last mentioned, or any other stores of war, have at any time since been issued for the use of that particular Province; however supplies of Ordnance stores having at several times been sent to the Massachusetts Bay (as the said Principal Officers do alledge), the Province of New Hampshire might upon any exigency have been supply'd from thence. *Refer to Col. Romer's report* (*See Aug.* 24, 1708.) We humbly offer that a further suply of ordnance stores as mentioned [Aug. 24] may be sent to New Hampshire *etc.*, and consigned to the Governor, with a strict charge that the same be not issued but as the necessary defence of the inhabitants shall require, and that regular accounts of the expenditure and remain of all such stores be taken and transmitted hither in such manner as by his Instructions and the said circular letter is directed. Your Majesty's Fort William and Mary (first raised by Col. Romer, and near finished by him when recall'd) is the most considerable place of strength in that Province, which he then offered to have finished for £100, most of the materials being upon the spot, and he computes that the said Fort, as likewise barracks, a guardhouse, and what else is necessary, may now be finish'd for £200 sterl., amounting to about £320 currant money of that country. Wherefore, if your Majesty shall be further graciously pleased to extend your Royal bounty to that Province in granting £200 sterl. for the finishing the said works (a charge, as we are informed, too great for the inhabitants under their present circumstances) we are then humbly of the opinion that directions be sent to the Governor to exhort them to provide for a sufficient guard to be regularly kept in the said fort, and to take care that their powder-duty be duly paid in kind. It is proposed by their Agent that (1) 200 disciplined men be sent from hence to do duty in that fort; (2) that a fourth-rate man of war be appointed for the service of that Province, with orders to cruize off the Eastern coast; (3) that packet-boats be set up for the use of the Continent, in like manner as they now are for the Islands in America. But we shall forbear to to trouble your Majesty upon those matters, what we have already offered, with the ships of war usually appointed for the service of those parts, being, as we hope, sufficient for the security of that Province, and to protect the inhabitants while they are at work in the woods, especially if your Majesty's Governor of New York do take effectual care to support and encourage the Five Indian Nations subject to your Majesty, as by his Instructions he is required to do. As to the claim made by Thos. Allen to the Propriety of New Hampshire, mentioned in the other Address from that Province, that matter now depending before your Majesty in Council (upon an appeal brought by the said Allen) will be laid fully before your Majesty in a report from the Committee of Council appointed to hear the said appeal; therefore we shall not presume to offer anything therein. *Annexed,*

185. i. Duplicates of enclosures, Aug. 24, 1708. [*C.O.* 5, 913. *pp.* 9-20.]

Nov. 9. Whitehall. **186**. Council of Trade and Plantations to the Earl of Sunderland. *Reply* to Nov. 2. We have the matters referred to by Col. Jennings under consideration, in order to our proposing remedies for prevention of such mischeifs for the future. As to Col. Parke's complaint of an illegal trade from Ireland and Barbadoes to Martinico, we refer to our letter of Oct.

1708.

26. *Enclose* extract of letter from Col. Jennings, relating to a murder committed in New Kent County, whereby your Lordship will perceive that the person condemn'd is a fitting object of H.M. mercy, and therefore we desire your Lordship will please to lay that matter before H.M. [*C.O.* 5, 1262. *pp.* 316, 317.]

[Nov. 9th.] Nevis. **187**. Some Merchants of Nevis to their Correspondent in London. Wee lay before you the prosseedings of our Councill and Assembly, that you may plainly see what sinister ways and means they take to resetle the Island again, *etc.* All their publique meetings has cheifly tended to make acts for puting a stop to the due currancy of the Law, without any exceptions of poor or rich, that they may have time to recrute their estates, without any regard to us here, that were fellow sufferers with them. Wee have laboured under great dificulties in oposition to their passing their Act. H.E. has a great regard for the merchants' interest boath at home and here; he will not pass any of their Acts, notwithstanding he intends to send them home without the broad seale. Affter they made their first Act, which the Generall would not pass, Mr. Fowler went up to Antegua with a petition to the Generall; H.E. very readily granted a Commission for houlding the Courts, notwithstanding the Councill and Assembly put a stop to [*that*] proseeding, and sent Mr. Bevon, Mr. Goar, Sp., and James Symonds with an Address to the Generall [*for*] stoping the law. This put a demur till the Generall came down [*to*] St. Christophers, and then wee proferd another petition, which went down by Dr. Semple; the Generall on sight of the petition promised to come up himselfe and compose matters between planters and merchants, which in two days he did. At his coming up, the Councill and Assembly mett, the Generall entered some Minnuts in the Councill Book with his own hand, that a bill should be prepared by a Commity of two of the Councill and four of the Assembly, and the [? *same*] number of merchants. The bill was to oblige planters to ajust with and give bond for what was justly due those that were not able to make prompt payment, a time should be allowed them, and those that were able and not willing, [*the*] Law should proseed against them, and that all debits contracted since our misfortune shou'd be payd. The Generall had a conference of the Councill and Assembly and merchants in the Councill Chamber, and made the above proposals, which the Councill and Speaker agreed to, but as soon as the Generall was gone, they prepared this bill. We heard Coll. Abbott and Thomas Bridgwatter and Mr. Horn was goeing down with the bill to gett the broad seale to itt; Mr. Huffam, Mr. Washington, and Dr. Semple went downe before, and acquainted the Generall with their bill and left some proposals with him, which he aproved of, and when Col. Abbot shoud the bill, the Generall altogither refused to pass any such bill, and dd. to Coll. Abbot the proposalls left with him, and signed the same, and told him he would pass no other Act, but what was

1708.

agreeable to the proposalls. The publication [? *is*] up for holding the Courts, but it's so late in the year the Generall thinks itt conveniant to pass it over till the Spring, and then intends the Courts shall be open. In the [? *meantime the*] planters are using all their interest both here and in England to gett an Act past [? *for put*]ting a stop to the Law for some time, till they can think of some more effectuall means either to make former debts altogether voyd, or downright to defraud their creditors by private conveyances of their estates to their relations, or one to another, and they to make itt over to their children again; and all this is acted through a pretence of poverty; ther is some of them will not stand to say they are in a better condition then before the misfortune. Wee hope you will use your uttmost endeavours that the Law may have its due currancy, and that the Courts may be open in the Spring, that we may be able to oblige them to ajust accompts, *etc.* *Signed*, Samuel Browne, Chas. Minors, [?] Geo. Meriwether, Tho. Washington, Will. Semple. *Endorsed*, Recd. (from Mr. Duport, Mr. Pindar, *etc.*) 9th, Read 9th, 22nd Nov., 1708. $2\frac{3}{4}$ *pp.* [*C.O.* 152, 7. *No.* 60.]

Nov. 9. **188**. Copy of an Act of Nevis *to oblige the inhabitants who shall refuse to settle their accounts, etc.*; with proceedings relating to the opposition against passing the same; and copy of a Bill *for stopping the further proceedings of the Courts of Queen's Bench, Common Pleas and Exchequer, and for establishing a Court Merchant, etc. Endorsed as preceding.* 10 *pp.* [*C.O.* 152, 7. *No.* 61.]

Nov 10. Whitehall. **189**. Council of Trade and Plantations to the Lords Proprietors of Carolina. Having received a complaint from Col. Jennings, that the Government of South Carolina has lately seized divers goods which the Indian traders of Virginia were carrying to the Western Indians, to the great disturbance and interruption of that trade; we have thought it convenient to acquaint your Lordships therewith, and to desire we may know whether the same has been done by vertue of any orders from your Lordships, and upon what grounds. [*C.O.* 5, 1292. *p.* 69.]

Nov. 11. Whitehall. **190**. Mr. Popple to Richard Savage. Encloses extract from Governor Seymour's letter [June 23], proposing a method for preventing illegal trade in Maryland, to be laid before H.M. Commissioners of Customs. [*C.O.* 5, 727. *pp.* 95, 96.]

Nov. 12. Whitehall. **191**. Council of Trade and Plantations to the Earl of Sunderland. *Communicate* Governor Parke's complaints as to the absenteeism of officers, the difficulty of quartering soldiers, and their pay. Having discoursed with Mr. Logan, a person who is appointed to pay the subsistance money to such officers only as are imployed in raising recruits here for that Regiment, we do find that several of the said officers have continued here,

1708.

that Major Aldy has stayed under a pretence of having the officers of the Regiment's accompts to adjust; that two others are but lately gone from hence with twelve recruits to Bristoll, in order to their embarkation for the Leeward Islands; that one Holland, another officer has likewise got twelve recruits, which with those aforementioned are to be made up 30, the number wanting to compleat the regiment, and that so soon as they shall be raised, they will also be sent to the said Islands; that Lieut. Akins cannot go over being ill of a hurt received from a fall; and that there are also here Mr. Mackenzy and Mr. Jones, who are under age. We have also discoursed with Mr. Thurston, formerly Agent to the said Regiment, touching the pay of the officers and soldiers thereof, and are informed by him they were paid their full subsistence to Michaelmas, 1707, and no further, as he knows of; that one reason of their not being more regularly paid, does proceed from some misunderstandings among the officers, who neglect to send home muster-rolls, and that when they do send any, they are so imperfect that the Paymaster of the forces here does not think proper to pass the same. Upon the whole matter, we are of opinion that the defence and security of H.M. said Islands in this time of war depending in a great measure upon the forces there, it is absolutely requisite for H.M. service that the Officers belonging to the said Regiment, who are absent from it, be directed forthwith to repair to their respective post in the said Islands, and further, that the said Regiment be well armed and duly paid their subsistance from time to time for their encouragement and better support. [*C.O.* 153, 10. *pp.* 212-216.]

Nov. 13.
St. Christophers.

192. Governor Parke to the Council of Trade and Plantations. I have at last got from the Depty. Navall Officer of Nevis the imports and exports from my arrivall to my Governmt. to Oct. 25, 1708. I shall take what care possible that hereafter they may be regularly sent; tho during the warr 'tis allmost impossible, for sometimes I am without any man of warr on this station, at other times the man of warr is three months careening, all that time I am a prisoner at some one Island. I have sent your Ldpps. the best acctt. I could procure, and duplicates of what negroes have been imported by the Company and private traders; if they are not exactly as yr. Ldpps. would have them, 'tis not my fault. I have sent them as I could gett them. I beg yr. Ldpps. to consider 'tis not so easy for me to comply wth. my orders as the other Governrs. that have but one Island and all the Officers about them; the Islands of my Govermt. are dispersed; 'tis 20 leagues from Antigua to St. Christophers and some times for 3 or 4 months I can nither send or hear from Nevis or St. Kitts; if I happen to be at St. Kitts when a packet arrives and I receive any orders from yr. Ldpps. yt. relates to Antigua, I must return there before I can answer it; I have sent the Comissarys of each Island's acctt. of all stores, but will order others from the time of my arrivall, and will send them as soon as they can be got ready; there were few or no armes in the publick stores yt. were serviceable when I came, the armes I recd. from England I order'd to be distributed where I thought most wanted, part to Antigua part to Nevis, and part St. Kitts, I designed part for Montserratt; but uppon the arrivall of the Regiment on a muster, I found they wanted above 100 armes, therefore what I had order'd for Montserratt I order'd to be delivered to Coll. Jones for the Regiment, who has given his receipt for them. Some has been lent to privateers on condetion to restore them in good order or new ones in their room, wch. they at all times have done. I have allso order'd to lend the men of warr powder, and sometimes to ye privateers, to restore new in the place, wch. I take to be a service, for powder and armes will decay, and to lend old when it can be spared, to have new restored I think a service. This is all I know of the stores, but yr. Ldpps. shall have a perticuler acctt. signed by each Comissary. According to your Ldpps.' orders, whatever laws are made for the future, tho' temporary, shall be sent home. I will take care to observe the Instructions recd. by this packett abt. Acts of Parliament relating to rice, molassus, the regulating the coin, and for that for incourageing Trade and Navigation, tho' the Act for ascertaining the vallue of the coin will with a great deal of difficulty be put in execution, but as there is an Act of Parliament for it, and I have yr. Ldpps.' orders to take care it be observed, I will see it done, wch. they will call ruining the Islands. Just now is arrived a briganteen from Montserrat, the Master informes me he found and left a Danish sloop there. I haveing sold off all my privateers, they are now in no danger; there is no help for it, except there was a new Governor and a new Collector, and a sloop to cruise constantly to look after them. *Signed*, Daniel Parke. *Endorsed*, Recd. 18th, Read 24th Jan., $170\frac{8}{9}$. *Holograph.* 4 *pp.*

Enclosed,

192. i. Account of negroes imported to Mountseratt, June 24, 1698—Dec. 25, 1707. (1) By the Royal African Company:—599. (2) By private adventurers:—1604. *Same endorsement.* 1 *p.* [*C.O.* 152, 8. *Nos.* 6, 6.i.; *and* (*without enclosure*) 153, 10. *pp.* 274-277.]

Nov. 14.
St. Christophers.

193. Governor Parke to the Council of Trade and Plantations. I give your Lordshipps ten thousand thanks for sending me those complaints to answer that came from Antigua; As to what relates to the Regiment, I call'd all the Officers that were here (wch. are the better halfe, and who were all at Antigua) before the Councill and read your Lordshipps' letter to them; and here is their answer upon oath. Lt. Col. Floyer is just gone for England, your Lordshipps may take his oath there and Lt. Sherrard's, which I take will be very well worth your Lordshipps' examineation, for Lt. Sherrard was the Officer that commanded the soldiers that were put on board the tradeing sloop. As they insinuate, the sloop was mine. I bought her when there was no man of warr on the station, not for trade, for she never did anything but saile from Island to Island to bring me intelligence and carry orders, and for this service I kept her and for saylors at my owne charge for 10 months, and to my knowledge never carryed any sort of goods for trade; there never was any soldiers in her but once, and that was to prevent an Irish Papist from carrying in a Danes' sloop about 40 negroes to the French, bought of Mr. Chester, the Company's Agent. Yett notwithstanding all my care, they were landed at Montserrat and afterward carryed to Guardaloupe, for my privateer took some of those very negroes from the French off Guardaloupa some time after; this trade it seems for negroes and beef has been all along carryed on. I found it out by accident; I hapened to see a sloop in a by place, I sent to know what she was, they brought me word she was a Dane, I went to towne and sent for the Collector, and bid him send on board, wch. he did and found severall chests and hhds., but all empty; she came next day into St. Johns Harbour, and one Mr. Blake, and one French, both Irish Catholicks, in her; the Company had a sloop just arrived wth. negroes; I presently imagined they designed to carry them to the French, whereupon I order'd Lt. Sherrard to put 20 soldiers on board my little sloop, and attend the Daneish sloop, and as she went out to search her; this was not done so privately but Blake came to know it, and came to me and offered me a bribe to lett the Daneish sloop carry off the negroes. I used him as he deserved, and away he went and hired a sloop to carry them to Montserratt, and from thence the Daneish sloop carryed them to Guardaloupe. Lt. Sherrard went after them, but they gott away; this is my sending the soldiers in tradeing sloops. If the Queen would keep a sloop on purpose, 'twould be of greater consequence to prevent that trade, then the man of warr. Lt. Sherrard can also informe your Lordshipps what large offers Blake desired him to make me, if I would suffer the Daneish sloops to come and go quietly. I did prevent them whilst I had privateers, but since I sold them, I hear they are as frequently at Montserrat as before.

As to the other part of the Antigua complaint that I dissolv'd the Assembly after sitting 3 dayes because they addressed me about takeing possession with soldiers of a poor woman's house, is every part of it false. *Refers to Minutes of Council.* I never took possession of any house or land, nor did I ever pretend to any house or foot of land (but what I hyre) in my whole Government; Your Lordshipps order[*s*] me to suffer everybody to come and make out their complaints before the Councill. I should take it well of them if they would do so, for then I could send my answers with the complaint; this I offer'd the malecontents and Nevin, but they knew that would not answer their end, for I am very sure they can have no complaint that will bear an examineation; they onely designe by them to make a clamour, and by that means give some great person a pretence to get me removed, and they have raised £5000 to engage some one or more to do it; Lillingstone expected the same; he expected so many villanous things laid to my charge would have turn'd me out presently, and truely had any one part of Bowdon's petition been true, I had deserved not onely to be turn'd out but hanged. Whilst the Lords Committee for Trade are such men as your Lordshipps, I shall not doubt of having justice done me, and I have a better opinion of all concern'd in the Ministry to beleive any of them capable of doeing me an injustice for any summ of mony whatsoever, tho' they give it out if the £5000 they have raised will not be enough, they will raise £10,000 more; and 'twould be worth their while, if they could be sure the next that comes in my post would wink at their clandestine trade; for except Mr. Norwood and Mr. Helden, that I put in, all the other Custome house officers are inhabitants; should they do their duty as they ought, the 4½ p.c. would raise the Queen £1000 per annum more than it does, and to convince you what I say is true, I will farme that Revenue and give £1000 per annum more than it has made for this 3 yeare past, wch. is very considerable, in so small a revenue, let me have the putting in all the officers. There is but one man does his duty, that is Mr. Buckeridge, and him they mortally hate for no other reason, the Commissr. of the Customes here, one Edward Perrie, suspended him twice on very frevilous pretences; and in all cases relateing to the Queen's Revenue he appears for the unfair merchant rather than for the Queen; the officers for the Revenue of 4½ p.c. should be all strangers and removed every three or four yeares, for when they come to be inhabitants, they durst not do their duty; The same packet that brings my letters and orders, brings the same to some of the inhabitants; how they come by their intelligence I know not; there may be occasion to send me such Instructions as ought not to be knowne, at least untill they are to be put into execution; my order about my house rent and other Instructions since were told me by the People before I had it from your Lordshipps. I dare say your Lordshipps designed that I should receive what was then due to me when that order came; I wish the Queen would add the £400 sterl. to my sallary and not suffer me to take anything here; whoever comes, they may pay him the first yeare as they did me (tho' so as it did me little good), but if they pay it him the next yeare, he must be both perjured and betray his trust; if 'tis my fortune to stay here seven yeares, I expect not one farthing allowed me for house rent; this is worth your Lordshipps' consideration. *Signed,* Daniel Parke. *Endorsed,* Recd 18th, Read 21st Jan., 170$\frac{8}{9}$. 4 *pp.* *Enclosed,*

193. i. Testimonial of the Officers of the Regiment in the Leeward Islands in favour of Governor Parke. St. Kitts, Nov. 13, 1708. He has used them civilly, established an hospital in Antigua for sick soldiers, wch. never was done before, *etc.*; he has offered to be security for the subsistence of the soldiers, and offered the officers money since Antigua hath taken away the

quarters. No soldiers have been employed by him except *as stated in preceding*. *Signed*, B. Jorrens, John Kent, Peter Buor. *Endorsed as preceding*. 1 *p*.

193. ii. Minutes of Council of St. Kitts, Nov. 12, 1708. The *above* statements were sworn to by the Officers, *etc*. *Same endorsement*. 2 *pp*. [*C.O.* 152, 8. *Nos*. 7, 7. i.,ii.; *and* (*without enclosures*) 153, 10. *pp*. 278-284.]

Nov. 14.
St. Christophers.
194. Governor Parke to the Council of Trade and Plantations. *Refers to enclosure*. Mrs. Bowdon seemed a stranger to her owne petition, which makes me beleive it was fraimed by others, not herselfe. I can't but think I have ill fortune to meet with such useage. I beg that justice from your Lordshipps that it may be laid before the Queen and Councill, that I may be justified where I was so basely scandilized. Your Lordshipps will find Mr. Nevin's complaint the same when it comes to be examined into. I understand they designe to bestow the £5000 they have raised, to gett into my post (in case they find it hard to gett Col. Codrington restored) one Lt. Col. Jones, an Irish Gentleman, he was here in Col. Whetham's regiment. I don't doubt your Lordshipps justice, and then I need not fear being removed whilst I do my duty. *Signed*, Daniel Parke. *Endorsed*, Recd. 18th Jan., Read 9th Feb., 170$\frac{8}{9}$. 2 *pp*. *Enclosed*,

194. i. Petition of Mary Bowden to the Queen. *Duplicate*. *Same endorsement*. 2$\frac{1}{2}$ *pp*.

194. ii. Answer of the Lt. Governor and Council of St. Kitts to the complaints of Mrs. Bowden. Oct. 31, 1708. Mrs. Bowden and her witnesses—Mrs. Margaret Tyson, Daniel Burton, Daniel Stoner and Christopher Dean—were examined after due notice given. *Evidence quoted on both sides*. The Council were of opinion that the General had been rather her friend than her oppressor, and that the whole of her petition was false and scandalous. *Signed*, Mich. Lambert, Hen. Burrell, John Garnett, Steph. Payne, J. Panton. *Same endorsement*. 2 *large pp*.

194. iii. List of Mary Bowden's negroes, with her receipt for the same. Affidavits by Mich. Lambert, Steph. Payne, and Hen. Burrell. *Same endorsement*. 3 *pp*.

194. iv.-viii. Affidavits of Stephen Payne, Rachel Symonds, John Helden, Jedidiah Hutchinson, and Thomas Young, *relating to above case*. *Same endorsement*. 5 *pp*. [*C.O.* 152, 8. *Nos*. 10, 10.i.-viii.; *and* (*without enclosures*) 153, 10. *pp*. 301, 302.]

Nov. 15.
St. John's.
195. Major Lloyd to the Council of Trade and Plantations. In my last by ye *Warwick* and *Valleur* men of warr, I forgott to inform yr. Lordshipps of ye death of Mr. Tho. Adams, surgeon to this Independent Company. I have commissionate Mr. Wm. Chalmers, a surgeon, till H.M. pleasure be further

1708.

known, *etc.* Upon examination since ye departure of ye ffleet, I find about 700 men to inhabit here under ye covert of ye fforts in St. Johns, and all things in so good posture yt. I doe not apprehend any danger for this winter. The French has returned us 26 prisoners being ye crews of two English merchts. shipps taken by a French man of warr belonging to Port Royall; off wch. ye enclosed acct. from Capt. Jno. Woodward, one of ye sd. prisoners, will better informe yr. Ldpps., as alsoe of ye condition of ye enemy att Placentia, *etc.* This comes by a vessell bound for Oporto; butt another being to sayle hence in 8 days dyrect for England, I shall enlarge more on all matters by that, *etc.*

P.S. I humbly crave yr. Ldpps.' excuse for ye enclosed, wch. I have presumed to send under ye protection of ye covert. *Signed,* Tho. Lloyd. *Endorsed,* Recd. Read 19th Jan. 170$\frac{8}{9}$. $1\frac{1}{2}$ *pp. Enclosed,*

195. i. M. de Costebelle to Commodore Mitchell. *Acknowledges* receipt of French prisoners and returns some English. I am sure you have no share in what your corsairs do contrary to the laws of humanity, when their brutality falls upon women and children, *etc.* Plaisance. Oct. 18, 1708. *Signed,* De Costebelle. *Endorsed as preceding. French.* 2 *pp.*

195. ii. An Account of the state of the French at Placentia. 29 guns and 2 mortars in the Fort. At present fortified with pallasadoes and wet moat, but [*they*] have advanced a new wall of stone from the foot of the Castle Hill to about 30 yards in length, *etc.*, which if perfected will render the place very strong. At present it seems weak. About 150 soldiers and 200 inhabitants, *etc.* *Signed,* John Woodwad. *Same endorsement.* 2 *pp.* [*C.O.* 194, 4. *Nos.* 82, 82.i.,ii.; *and* (*without enclosures*) 195, 5. *pp.* 76, 77.]

[Nov. 17.] **196.** An explanatory supplement to Capt. Vetch's proposal for an attack upon Quebec and Montreal, (*See* July 27, 1708), together with a scheme for raising the two new battalions required, *etc.* Proposals for their equipment. A packet-boat to be despatched with orders to New England, New Hampshire and Rhode Island to have 1000 of their best disciplined men and officers, with 3 months' provision, transports and pilots, with 10 flat-bottomed boats that will carry 60 men each to go along with the transports, those all to be ready about the end of April to embark, upon two days advertisement; and when the expedition from hence is just ready to sail, let one of the frigats be dispatched to make the best of her way to Boston, with orders for the said troops to embark with all possible expedition, and go under convoy of the said frigat, and those that attend that Government, directly to Piscataqua, there to meet the fleet from England, whose orders must be to go directly thither. Whereas the New England men's arms are generaly of different bore and sise, so that it will be impossible

1708.

they can safely be ventured with upon service, it will be absolutely necessary the Crown send them 1200 good uniform arms from the Tower, with flints and ammunition conforme. The Governments of New York, Connecticut, Jerseys and Pensilvania must be ordred att the same time to have their severall proportions of men ready by the end of Aprill, to be att Albany, ready to march from thence, upon two days warning. The proportions of these Governments to make up 1200 men, besides the regular troops (of which 2 and 300 may be spared from New York) will be New York, 550; Connecticut, 350; the Jerseys, 200; and Pensilvania, 100, each Government furnishing their men with 6 weeks' provisions att first, which they can doe easily from Albany, where it is cheapest to be had in all the Continent, while the Governor of New York shall be ordred to give directions to the Commissioners for the Indian Affairs att Albany to contract with our Five Nations, to make as many canoes as will be requisite, and to engage them heartily to join in the sd. undertaking, which lys much in Col. Schyler's power to doe; and because the foresayd number of country troops will labour under the same difficulty as to arms, it will be necessary that the Governor of New York be directed to lend them out of the magazine as many as can be spared to such as have not arms of the same calibre with the regular troops. The person fittest to command thiss land expedition is Mr. Ingoldsby, and next to him, Col. Schyler, upon whom the Country and Five Nations have a great dependance. The above expedition, being ordred to sett out from Albany att the same time the fleet does from Piscataqua, will be able to be full as soon att Montreal, as they can be att Quibeck, and as they cannott be reduced to any straits having one of the most plentifull countrys in the world behind them, from whence they can almost weekly be supplyed with provisions and other necessarys by water, excepting a carying place of 10 miles from Suratoga, to the wood creek, where they can rise houses; as they can hardly fail of taking Montreal (which hath nothing to defend it but palisadoes, which can easily be burnt by pitched faggots, which that country will afford in plenty) or att least makeing such a diversion as the sea expedition cannott fail of carying Quibeck, which being done they will soon by sending up the river 6 or 700 men and some small guns, to attacque Montreal in concert with the land forces cary the same. But that there may be no misunderstanding about command, it will be requisite that he who commands the troops from hence, shall have the cheif command of all; and nixt to him every officer conform to the Commission he bears; and the date of the same; thiss is to be understood of the regular troops; the other to be so intermixt upon command with them, that there shall be always one officer of the same quality of the regular troops with those of the Country; by whom they will never grudge to be commanded. The fleet att Piscataqua with the first fair wind must make the best of their way to Quibeck; but there being two different commands, of the sea and land, the

1708.

want of adjusting which hath often occasioned the miscariage of the undertaking; therefore, it will be requisite to have the matter so clearly setled before their going from hence. The Generall of this expedition should have the sole power, as soon as they come into the River of Canada, to detach or send before such sloops or vessels as he shall see fitt, to cutt of the communication of the Isle of Orleans, to send ashoar partys where and when he shall judge it convenient, and as soon as they come to ane anchor, to command ashoar such men and stores as he shall find necisary, *etc.* Which things being well concerted, there is no doubt of good success, for the town lying upon a point, by landing some forces above it, and some below it, who can easily make a communication togither, quite across the Isthmus, so as to cutt of all their correspondence by land, while the ships can easily doe the same by sea, it will not be verry difficult, by attacqueing it att three different places att the same time to carry it without much loss. The which, when it pleases god they shall be masters of, it will be necisary to send all or att least by much the greatest number of the inhabitants in their own small barks to Martinico, which will mightily incomode that place, where provisions are so verry scarse: the souldiers may be sent home to England, but theirs and the greatest part of the inhabitants being removed from thence is absolutely necisary, as well for the security of our own people, in case of ane attempt from France to recover it, as to make the natives come over intirely to the intrest and obedience of the Crown. And as it is not to be doubted but the French King will make strong efforts to recover his footing upon the Continent of America again, so it will be absolutely necisary that there be a sufficient force left to garison those places, who ly att so great a distance from receiving any reinforcement from hence or elsewhere, so that it will be requisite there be 700 regular troops left to garison Quibeck, 200 at Trois Rivier, who upon any emergency can in two or three days time joyn them of Quibeck; 300 att Montreal, to keep the natives thereabouts in obedience to the Crown, having no other enimy to fear, having Albany to behind them; 200 at Placentia, when reduced, 200 att Port Royal, which being contiguous to New England, can be assisted from thence upon occasion either by sea or land. And to make it clearly appear that the men proposed to be furnished by the several Governments there, will not only be soon gott in a readiness, but is farr from being a hardship upon them, it being what they have pressed and wished for these many years, besides that most of them, excepting Jerseys and Pensylvania, (who may the better furnish now, that they have so long bein exempted) keep as many troops in pay at thiss present time; for New York sends up generaly evry fall near 300 men to reinforce the garison att Albany, who continue there untill the latter end of March, besides a company of bushlopers, who are about 40, with a Capt., two Lieuts., evry sentinel of which hath 3*s.* per diem, because of the severity of their duty, they being oblidged to ly

1708.

all winter as scouts upon the Lake side to observe the motions of the enimy; so that these two are yearly more then thiss will be, which if successfull, will ease them for ever; nixt Conecticout have constantly 300 men upon their frontiers att least, and New England above the number they are to furnish in constant pay, and are now without doubt double what they use to be, for by our last advices from Boston, Aug. 25, they had accounts from Albany that the French and Indians from Montreal to the number of 800, were preparing to cross the Lake, in order to attacque some of their frontier towns, so that all their frontiers were in arms, and must continue so all winter, so that if the Governmt. sends them orders as proposed, they will find them with the most part, if not all the troops in readyness *etc.* *Proposes* that 30 good serjeants be sent over to discipline the companies. *Scheme* for raising the two regiments proposed for the expedition. *Endorsed,* Recd. Read Nov. 17, 1708. 3¾ *pp.* [*C.O.* 323, 6. *No.* 71; *and* 324, 9. *pp.* 255-266.]

Nov. 18.
Maryland.

197. Governor Seymour to the Council of Trade and Plantations. I have your commands of Aprill 15th, which came to hand by a chance sloope from Barbados, but not untill Oct. 13, by which your Lordships may perceive how tedious and uncertain that conveyance is; and therefore have not the least apprehensions your Lordships justice will impute any neglect to me; since in obedience thereto I imediately made the best inquiry I could, what numbers of negro's have been supplyd to this H.M. Province by the Royall Affrican Company, or by the seperate traders who pay the 10 p.c. since June 24, 1698, and by the list inclosed, which is as exact as the speedy dispatch of this answer would admitt, your Lordships will find the Royall Affrican Company have not supplyd one negro to this Province during that tyme; nor can I, on enquiry of above 20 years last past, heare of any ship belonging to the Company that has come hither; but wee have been wholy supply'd by the separate traders, as your Lordships may perceive, (tho' by the death and removeall of severall officers of the Customes here, I cannot learne the owners or importers, further than the names of the severall shipps and commanders, yet am satisfied they were exclusive of the Royall Affrican Company. And these negro's have been sold for Bills of Exchange payable in London, generally men at £30 sterl. per head, and women at 5 and 6 and 20 pounds. I have pursuant to your Lordships' directions discourst many of the principall planters here, by whom I am inform'd that before 1698 this province has been supply'd by some small quantitys of negro's from Barbados and other H.M. Islands and Plantations, as Jamaica and New England, 7, 8, 9 or 10 in a sloope, and sometymes larger quantitys, and sometymes, tho' very seldome, whole ship loads of slaves have been brought here directly from Affrica by interlopers, or such as have had lycences or otherwise traded there. At present the trade seems to run high, there having been between 6 and 700 negro's imported hither this yeare, 1708, and ye Planters owne themselves obliged to the seperate traders for these supplys having never had any from the Company, and now the price of negro's begins to abate as wee suppose by reason of the plentifull importation by ye seperate traders, so that 'tis the opinion of most here, should the seperate traders be totally excluded, the Company would take no better care to supply them with slaves than they have formerly done, which would not only be a great detriment to the planters, but also to H.M. Revenue of so valuable Customes on tobaccos. As to shipping belonging to this Country and imploy'd to the coast of Affrica at present, I cannot learne of any, nor above 2 or 3 persons concern'd therein with ye merchts. in London. I humbly begg your Lordships' pardon that the account of negros has not been transmitted, which being interwoven with the encouragemt. and protection I am enjoyned to give the Royall African Company made me mistake to be intended of those to be supply'd by them only. And to convince your Lordships of my future exact complyance with commands I esteeme so sacred, have sent you a list of those imported this year, *etc.* *Signed,* Jo. Seymour. *Endorsed,* Recd. 11th May, Read July 18, 1709. 3 *pp.* *Enclosed,*

197. i. List of negroes imported into Maryland, Midsummer 1698—Xtmas, 1707. Total, 2290. *Same endorsement.* 1 *p.*

197. ii. List of negroes imported into Maryland Dec. 25, 1707—1708. *Total,* 648. *Same endorsement.* 1 *p.* [*C.O.* 5, 716. *Nos.* 66, 66.i.,ii.; *and* (*without enclosures*) 5, 727. *pp.* 121-125.]

Nov. 20. St. James's. **198.** H.M. Warrants for John Richardson and Michael Smith to be of the Council of Nevis. *Countersigned,* Sunderland. [*C.O* 5, 210. *p.* 123.]

Nov. 20. St. James's. **199.** H.M. Warrant for John Burryan to be of the Council of St. Kitts. *Countersigned,* Sunderland. [*C.O.* 5, 210. *p.* 123.]

Nov. 22. Whitehall. **200.** Council of Trade and Plantations to the Queen. *Recommend* Francis Phips for the Council of St. Kitts in place of Col. Crisp, decd.; and Wm. Byam for the Council of Antigua, in place of Barry Tankard, recommended to be dismissed for neglecting to attend. [*C.O.* 153, 10. *pp.* 219, 220.]

[Nov. 22.] **201.** Sir John Bennet to Mr. Popple. Desires copies of papers, in order to the vindication of Lt. Governor Bennet from Mr. Jones' complaints, *etc.* *Endorsed,* Recd., Read Nov. 22, 1708. 1½ *pp.* [*C.O.* 37, 8. *No.* 72.]

Nov. 23. Jamaica. **202.** Governor Handasyd to the Council of Trade and Plantations. The packett boat returning into port after she had been at sea near a month in her way home, I take this opportunity to give you an account of what has happen'd since mine by the same boat. I acquainted your Lops. of the seizure

1708.

of a brigantine by the Navall Officer, for which there is a suit now commenced against him at Common Law by one of the Councill, Col. Thompson: I desire to know what methods I shall take in this and the like cases, where prizes are brought in by our vessells without commission or letter of marque, and where any vessells from another port or place, that have sold their prizes bring in the hostages, that I may prevent such practices, which if continued, will be great encouragements to piracy: I am told it is likewise a custom among our privateers, after they have plunder'd the prizes they take, to put the prisoners ashore and sink the vessells without bringing in any of the prisoners to condemn them, by which means the Lord High Admirall is deprived of his tenths. Two or three days ago came in a privateer ship and sloop that took off the Havanna a barco longo, with betwixt £30,000 and 40,000 in coined and uncoined gold and silver, as I am informed: at the same time they very narrowly missed of a brigantine, that had on board near two millions of mony, which was occasioned by the brigantine's having our privateer's signall from a long boat she had taken a little before. All other matters are the same as in my last. We had an earthquake two nights ago but has done no damage that I hear of. *Signed,* Tho. Handasyd. *Endorsed,* Recd. Jan. 19, Read Feb. 23, 170$\frac{8}{9}$. 2 *pp.* [*C.O.* 137, 8. *No.* 28; *and* 138, 12. *pp.* 361, 362.]

Nov. 23. Whitehall. **203.** Council of Trade and Plantations to the Queen. *Repeat* arguments against the Act of Maryland (1707) *empowering the farmers of Lord Baltimore's rents to recover arrears etc.,* and *recommend* its repeal. [*Cf.* Feb. 20, 1708.] [*C.O.* 5, 727. *pp.* 96-98.]

Nov. 24. **204.** Loque yo tengo que proponer Alxa. Es nego cio de gran considerazioni mucho utilpa. estereino isin Açergastos. Es enla America en los dominios de Portugal. Pa. este efecto yo declarare Lafor ma por escrito con las circustancias necesarias. Mas es menes terque lxa (?) ia que Ami nome permita la honra de ablar le sesirua de ablar Ahora. A Mer. Jones puis nosiendoasi no po dre io Açer los papeles Alxa. cuia pa. g. dsm. a. *Endorsed,* Mattamoro, *etc. Portuguese.* $\frac{3}{4}$ *p.* [*C.O.* 318, 3. *No.* 36.]

Nov. 25. St. James's. **205.** Order of Queen in Council. The Board of Ordnance are to make an estimate of the charge of the ordnance stores proposed for New Hampshire, Nov. 8. *Endorsed,* Recd., Read Dec 20, 1708. 1$\frac{1}{4}$ *pp.* [*C.O.* 5, 865. *No.* 7; *and* 5, 913. *p.* 36.]

Nov. 25. St. James's. **206.** Order of Queen in Council. Francis Phips is appointed to the Council of St. Kitts. *Cf.* Nov. 22. *Signed,* William Blathwayt. *Endorsed,* Recd. 15th, Read 17th Jan., 170$\frac{8}{9}$. 1$\frac{1}{2}$ *pp.* [*C.O.* 152, 8. *No.* 4; *and* 153, 10. *pp.* 263, 264.]

1708.
Nov. 25.
St. James's.

207. Order of Queen in Council. Barry Tankard is removed from the Council of Antegoa, and William Byam appointed in his place. *Cf.* Nov. 22. *Signed and endorsed as preceding.* 1½ *pp.* [*C.O.* 152, 8. *No.* 4.A.; *and* 153, 10. *pp.* 264, 265.]

Nov. 25.
Whitehall.

208. Council of Trade and Plantations to Governor Handasyd. Since our letter of Aug. 25, a duplicate whereof is here enclosed, we have received yours of July 20, 1708. You have not yet fully answer'd the question we asked you, March 26th last, relating to 6 ships of war you had proposed for Jamaica. What we desire to know is whether you mean 6 ships over and above the squadron which is annually appointed to attend your Government. This therefore we expect you will clear, before we can proceed any further thereupon. Your answer to what we writ you about Counsellors claiming a priviledge of not being sued for debts is satisfactory. But if any complaint be made in that matter, we shall then more fully consider what you have writ thereupon. We expect that by the next packet we shall receive from you the account of Negroes we had desired, and which you promised. But in case it be not dispatched by that time, we desire you to get it done as soon as possible, it being for H.M. service. We are very glad to perceive the magazine at Port Royal is in such forwardness as you mention, and that your Regiment is so near being compleated. We shall take notice of the good character you give Commodore Wager as opportunity offers. But on this occasion we must take notice that you have neglected to give us an account of the value of the prizes taken by him. H.M. has been pleased to appoint Mr. Valentine Mumby a Member of ye Councill of Jamaica in the room of Mr. John Ascough, and Mr. Francis Oldfield standing now the first upon our list we shall be mindfull of him upon the first vacancy. We have only to add that you have not returned us any answer to the third paragraph of our letter of Jan. 29 relating to the transmitting us the Journals of the Assembly, which therefore we do expect. [*C.O* 138, 12. *pp.* 338, 339.]

Nov. 25.
Whitehall.

209. Council of Trade and Plantations to Governor Parke. *Acknowledge* letters of June 21, July 1 and 7th. We have laid before H.M. what you write concerning the absence of officers; and we doubt not but effectual care will be taken to prevent their leaving their posts for the future. When the Minutes of Antigoa and Mountserrat arrive, we will consider the same. In the meantime we must take notice that you have done well in not passing the Bill proposed by the Assembly of Antigoa, and in pursuing your Instructions in that matter, as well as in supporting the rights of the Crown. As to what you write in relation to the augmenting your salary, we do not think it proper for us to propose any alteration therein. We cannot doubt but your services will so recommend you to the respective Assemblys of each Island, that as their circumstances will admit, they will comply with H.M. directions in relation to house rent. You may be assured upon all occasions of our doing you right, and particularly in case any complaints against you do come. We shall not represent you to H.M. as guilty till you have had an opportunity of clearing yourself. We have represented to H.M. what you write in relation to Mr. Barry Tankard, and have offered that Col. Byam be appointed of the Council in his stead. But we must take notice that you have exceeded your Instructions in swearing Col. Byam into the Councill of Antigoa, and Mr. Phips into the Councill of St. Christophers, it appearing to us that there were 7 upon each Island: for tho' some of the Members be sick and not in a condition to come to the Councill, yet they are to be reputed Counsellors till H.M. pleasure be known to the contrary. Besides we must further take notice that though you have named to us persons fit to supply vacancies that may happen in those Councills, yet you have put in two Gentlemen not mention'd in those lists, which is not right, and we hope you will avoid it for the future. Mr. Perry the Provost Marshall has yet made no complaint of your having put Mr. Ayon into his place, if he do, we shall then consider what you write thereupon. We have laid before H.M. what you write in relation to the trade carryed on between Ireland and the French Islands in America, and we doubt not but effectual care will be taken therein. We have also laid before H.M. the Address from yourself, the Councill, and Assembly of St. Christophers. We expect the account of negroes we had desired from you, which being for H.M. service, we doubt not but you will dispatch the same in the most speedy and best manner you can. The difficulty you find in obtaining duplicates of publick papers from the respective offices is such, that we shall be obliged to lay it before H.M. But it is necessary that you should first send us a better account of the Patent Offices in the Leeward Islands, that is, a list of each respective office, held by Patent, with an account of each respective salary or yearly income, taking notice what deductions are made either by allowances to their Deputies, or otherwise. In your letter, St. Kitts, July 7, you say that you had endeavoured in vain to get a law passed for holding of Courts, and you wonder how their law came to be passed at the Leeward Islands and allowed by the Royall authority here; but you ought to have given us the title of that law, and to have acquainted us in what year it was made. Having considered the copy of a Bill you transmitted to us from Nevis, to oblige the inhabitants who shall refuse to adjust and settle their accounts with their creditors for debts contracted before the invasion of 170$\frac{5}{6}$, and having discoursed with the merchants trading to that Island, we must observe that there is no destinction in the said bill between such as are able and such as are not able to pay their debts contracted before the invasion; whereas those that are not able ought to have time allowed them, but those that are able and not willing should be proceeded against at law; and we further observe that since the

1708.

hurricane in that Island, there may have been severall debts contracted, which ought not to be upon the same foot with those contracted before. Besides the said objections, we find that the Bill does in effect shut up the Courts, and stop the course of Justice for the space of three years, and in some cases much longer, which is not to be allowed of, and therefore you have done well in rejecting the same. But in case it shall be thought necessary, you may propose to the Assembly the passing of another Bill, that may not be liable to such objections, and that may lead to the good as well of the inhabitants and planters in the said Island, as of the merchants here. *P.S. Refer to* Orders in Council July 11th. [*C.O.* 153, 10. *pp.* 223-227.]

Nov. 25. Whitehall. **210**. Council of Trade and Plantations to Governor Crowe. *Acknowledge* letters of June 27 and July 3. We will not doubt of your care to prevent for the future such omissions in the Minutes of Councill, concerning which we writ to you. It was great neglect in the Clerk of the Councill, and rendred those Minutes of very little use. As to what you write about the Spaniards coming to fetch negroes from Barbadoes, we have only this to say, that you will do well to give all the incouragement possible to the negroe trade with the Spaniards, having due regard to the Acts of Trade and Navigation, and to the particular laws of Barbadoes. *Enclose correspondence relating to Mr. Pindar's petition for passes for Spanish ships.* The account you have given us of the Patent Officers does not come up fully to what we had desired, and therefore wee expect that you give us a perfect list of all patent places, with an account of the yearly value, or income, of each place. We observe what the Grand Jury says in their Address to you relating to the 4½ p.c., upon which we think you ought to make application at the proper place in that matter, by the Agents of the Island, whose business it is, and then upon your giving us an account of their success, we shall doe what will be fitting for us therein. You have made us no answer to what we writ, March 25, in relation to the powder duty. Nor have you taken notice of the receipt of H.M. Order in Councill for repealing an Act allowing you £500 for House Rent, which you ought to have done, and therefore we expect it from you. H.M. has been pleased to appoint Mr. John Hallet to be a Member of the Councill of Barbadoes in the room of Mr. Frere decd., and the Order will have been sent you by Mr. Hallet's friends accordingly. An affidavit of William Bushel and Roger Richardson having been laid before us, relating to the said Bushel's being obliged by you to enter into bond of £500 that his ship the *Laurel* in her voyage from Barbadoes to this Kingdom should touch at some of the Leeward Islands, we enclose a copy, and expect that you will give us your reasons for obliging him to touch there, he not having any business there, nor none recommended to him by you for those Islands, and why the said bond should not be discharged, if not already done. *Acknowledge* letters of Aug. 17 and Sept. 6, touching complaints against you, which are of so very high a nature that we wonder you did not think yourself concern'd to give us an immediate answer to it, since you had notice of the complaint 5 days before the date of your last letter and the departure of the fleet, and had time (as we are informed) to lay several matters contained in that complaint before the Assembly. Tho' we shall not conclude you guilty of what is laid to your charge till you have had an opportunity of making good your defence, yet that we might not in the meantime be wanting to the safety and good government of that Island, we think it incumbent to lay those articles before H.M. for her directions therein. The Address you mention to be inclosed, Sept. 6, we have not received. [*C.O.* 29, 11. *pp.* 324-328.]

Nov. 25.
St. James's.

211. Order of Queen in Council. Repealing Act of Maryland *empowering the farmers of Lord Baltemore's quit rents, etc.* (*Cf.* Nov. 23, 1708, *etc.*) *Signed*, William Blathwayt. *Endorsed*. Recd. 15th, Read 17th Jan., 170$\frac{8}{9}$. 1$\frac{1}{2}$ *pp.* [*C.O.* 5, 716. *No.* 60; *and* 5, 727. *pp.* 118, 119; *and* 5, 720. *No.* 4.]

Nov. 25.

212. Mr. Armstrong to the Council of Trade and Plantations. Prays, as Solicitor for Mr. Allen, for a perusal of papers relating to Mr. Mason's title as Proprietor of New Hampshire, "there being an appeale come over in order to try his title before H.M. and Council." *Signed*, Ro. Armstrong. *Endorsed*, Recd., Read Nov. 27, 1708. 1 *p.* [*C.O.* 5, 865. *No.* 4.]

Nov. 26.
Whitehall.

213. W. Popple to Josiah Burchet Esq. Encloses extract of letter from Governor Handasyd, Sept. 24, relating to Jamaica merchant fleet. [*C.O.* 138, 12. *p.* 347.]

Nov. 27.
Admiralty Office.

214. Josiah Burchett to Mr. Popple. *Reply to preceding.* Having had the same account from Rear Admiral Wager I send it to my Lord Dursley, who is cruizing in the Soundings and has directions to look out carefully for them. I desire you will acquaint the Lords of the Councill for Trade etc. that there is a squadron preparing to releive Rear Admiral Wager, and that it is hoped they may be ready by Dec. 20. *Signed*, J. Burchett. *Endorsed*, Recd., Read Nov. 29, 1708. 1 *p.* [*C.O.* 137, 8. *No.* 25; *and* 138, 12. *p.* 348.]

Nov. 27.
Virginia.

215. Col. Jenings to the Council of Trade and Plantations. It was the 11th of last moneth and the Fleet then sailed before I had the honour to receive your Lordships' of April 15 concerning the negro trade. Since which I have endeavoured by the means of the proper officers and the information of the ancient inhabitants to answer your Lordships' commands. *Refers to enclosures.* The seperate traders have had much the greater share. The medium rates for men and women may be reckoned from £20 to £30 a head for those sold by the Company, and from £20 to £35 a head for the like kinds sold by the

1708.

seperate traders, who in genll. have sold theirs at a higher rate than the Company. How the Country was supplyed with negros before the Trade to Affrica was laid open in 1698, I have endeavoured to informe myself from some ancient inhabitants conversant in that trade, as well as by recollecting what hath happened in my own knowledge, and find that before 1680 what negros were brought to Virginia were imported generally from Barbados, for it was very rare to have a negro ship come to this country directly from Affrica; since that time, and before 1698 the trade of negros became more frequent, tho not in any proportion to what it hath been of late, dureing which the Affrican Company sent several ships, and others by their licence (as I have been informed) haveing bought their slaves of the Company brought them in hither for sale, among which I remember the late Alderman Jeffrys and Sir Jeffry Jeffrys were principally concerned, but all this time the price of the negros was currant from £18 to £23 per head for men and women, and never exceeded that rate. Whether the opening the trade to Affrica haveing created an emulation between the Company and the seperate traders which should outbid the other in the purchase of their slaves there, or whether the dexterity of their Factors here in takeing advantage of the prevailing humour of our inhabitants for some years past of buying negros even beyond their ability, or the concurrence of both, hath raised the rates of negros so extravagantly, I shall not pretend to determine, but this I may venture to say, that it will be much harder to lower the price again now 'tis raised, unless there be the same freedome of trade continued as formerly, for tho' the inhabitants of this country in genll. will not now be so fond of purchaseing negros as of late, being sensibly convinced of their error, which has in a manner ruined the credit of the country, yet there will still be some that must, and others that will at any rate venture to buy them, and if the Company alone have the management of the trade, they'l find pretences enough to keep up the price, if not to impose what higher rate they please, which the buyer must submitt to, knowing he cannot be supplyed by any other hand. As for vessells tradeing directly from this place to the coast of Affrica, I never knew of any, nor is the same practicable, this country not being provided with commoditys suitable for carrying such a trade, *etc.* *P.S.* The Instructions to our late Governor were sealed up at his death, and were not opened till I had the honour of being intrusted with the Government *etc.*, else I should not have failed in sending the account of negroes required therein. *Signed,* E. Jenings. *Endorsed,* Recd. 16th April, Read 3rd May, 1709. 2 *pp.* *Enclosed,*

215. i. List of negros imported from Barbados to Virginia, 1699—1708. *Total,* 236 in 3 ships. *Endorsed as preceding.* ½ *p.*

215. ii. List of negroes imported to Virginia direct from Africa, June 24, 1699—Oct. 12, 1708. 36 ships. *Total*

1708.

negroes imported by the African Company, 679; by the separate traders, 5692. *Same endorsement.* 1 *large p.* [*C.O.* 5, 1316. *Nos.* 15, 15.i., ii.; *and* (*without enclosures*) 5, 1362. *pp.* 365-367.]

Nov. 27. Virginia. **216**. Same to Same. *Reply* to May 7, 1707, hoping my late receipt thereof (wch. was not till the begining of last June) with what I writt by the Fleet of the sickness of several of the Council (whose advice I thought necessary) will plead my excuse for making so late a return. I hope I have already complyed with your Lordships' direction in sending the Journals of Council (which contain all the material transactions of the Government) as often as there has been a safe conveyance, and shal continue the like care for the future, tho the casualtys of the war will necessarily make that transmission less frequent than I could wish. I have by former occasions, and now again by this, sent the names of Councillors, *etc.* As to the number of inhabitants, according to the list of tithables taken this year (wch. is the best way to judge of their number) I have computed the labouring tithable persons to be about 30,000, whereof about 12,000 negros, the rest being almost all free men; for the number of white servants is so inconsiderable that they scarce deserve notice, so few having been imported since the begining of this war. So that by comparing list with those of former years, the number of tithable persons (among which are included all masters of familys and their male children above the age of 16) have increased within these three years about 3000, partly by the natives coming of age, but chiefly by the importation of negros. It is possible that when yr. Lordps. shal compare this estimate with the list of negros imported of late (*supra*), yr. Lordps. may be induced to expect a far greater encrease of our numbers; but besides the distempers usual among new negros, wch. carry off not a few of them, many of our poorer sort of inhabitants daily remove into our neighbouring Colonys, especially to North Carolina, which is the reason that the number of our inhabitants doth not increase proportionably to what might be expected. *Refers to enclosures* i.-iv. Since the late Act for setling the Militia, they begin to be better arm'd than formerly, and I hope the continuing the due execution of that Law will oblige all to provide themselves, tho I cannot help observing to your Lordps. that the low price of their tobacco is a great hindrance to what I believe they are well enough inclined to do in this particular. The number of ships *etc.* belonging to the inhabitants of this Colony, it is so inconsiderable that I think it unnecessary to trouble yr. Lordps. with a particular list of them, there being only 6 ships (the largest not exceeding 150 tunns), eight brigantines and two sloops now belonging to the countrey, besides those open shallops wch. carry tobacco for the ships and sometimes trade from one River to another (wch. I believe yr. Lordps. do not mean should be listed with the others). All which ships, vessells and coasting shallops imploy about 200 seafaring men, and of those

1708.

but few able sailors, such going generally to Pensilvania and the Northern Proprietary Governments, where they receive greater encouragement than the small trade of this country will afford them. Besides the ships and vessells abovementioned there are not at this time any ship or vessell tradeing hither of this country built, diverse which have been built here of late haveing in their first voyages had the misfortune of falling into the hands of the enemy. *Refers to enclosure* ii. It contains a complaint of some new and unusual proceedings of the Governor of South Carolina in seizing the effects of our Indian traders and interrupting that trade from which a great part of the revenue of the College [*of William and Mary*] doth arise, and indeed is a very profitable trade to many of the inhabitants of this country. Tho' the interruption complained of be upon the matter owned by the Governor of S. Carolina, yet because I would not trouble yr. Lordps. with any complaints against our neighbour governments without such authentick proofs as may make the matter undeniable, I have with the advice of the Council appointed the affidavits of the traders to be taken, which I shall send by the first conveyance for your Lordps.' further satisfaction. Humbly submitting how far (on the reasons laid down in the said Memorial) H.M. service and the interest of Great Brittain may be concerned to protect the trade of this H.M. Colony from the new raised pretensions of a Proprietary Government. *Signed*, E. Jenings. *Endorsed*, Recd. April 16th, Read May 3rd, 1709. 2 *pp.* *Enclosed*,

216 i. Reply of the Council of Virginia to the enquiries of the Council of Trade and Plantations, May 7, 1707. At the Capitol, Oct. 19, 1708. (1). The chief cause of the removal of the inhabitants of this Colony into the neighbouring Plantations is the want of land, the most convenient land yet unpatented being on Pamunky Neck and on the south side Blackwater Swamp, and that shutt up by the orders of the Government; this has occasioned many familys of old inhabitants, whose former plantations are worne out, as well as a great number of young people and servants just free to seek for settlements in the Province of North Carolina, where land is to be had on much easier termes than here, not a few have obtained grants from that Government of the very same land which they would have taken up from this, if liberty had been given for it. For preventing whereof, it is humbly proposed that the bounds between Virginia and Carolina be settled as soon as may be, and that free liberty be given to all persons to take up lands anywhere within the bounds of Virginia in the termes mentioned in the Charter granted by H.M. King Charles II., and according to the constant custome of granting land in the country from the first settlement thereof. Another cause is the exemption granted in most of the Proprietary Governments from being sued

1708.

for debts contracted in other places; this encourages a great many people of uneasy circumstances or dishonest inclinations to run thither to avoid their creditors and secure themselves a safe retreat. And even in N. Carolina, where Virginia debts are pleadable, there are such difficultys in the prosecution thereof, partly by the distractions of that country, which has no settled Government, and partly by the protection those debtors find among persons of like circumstances and principles, that it is but lost labour to sue them. (2). The staple commodity of this country being tobacco is only exported to Great Brittain, and returnes made in the manufactures thereof and other commoditys brought directly from thence. This country hath no manner of supplys of any European manufactures (except a very little to the plantations) but only from Great Brittain. There's very little trade carryed on by the inhabitants of this Colony to any of H.M. Plantations, what trade they have is to the Island of Barbados, to which they export Indian corne, pork, pitch, tarr, lumber and sometimes a little tobacco, in exchange of which they import rum, sugar, molasses, a little cocoa and ginger, but a great part of the commoditys of that Island are purchased by bills of Exchange; from New England are imported rum, sugar, molasses, Madera and Fiall wine, fish and wooden ware; exported thither corne, pork, and some tobacco and money. From New York and Pensilvania imported rum, sugar, wine, bread, flower and beer; exported thither European goods, money and wheat. From S. Carolina and Bermudas, rum, sugar, Madera wine, salt, cocoa, and rice; exported thither flower, cyder, and European goods. All the trade with the above Plantations (except some part of the Barbados trade) is carryed on entirely in vessells belonging to the said Plantations. (3). There can't be an exact estimate made how much tobacco is exported hence, that being best known to the Commissioners of the Customes, but it is very plain the production of that manufacture has been encreasing for several years, as on the other hand the value thereof has proportionably decreased, which we conceive is occasioned by the great number of negros imported and the encrease of the inhabitants, who being only employed in that manufacture, there is much more made than can possibly be vended to any advantage. (4). Another branch of the trade of the country is the Indian trade for skins and ffurrs, in which great quantitys of course cloaths from England, powder, shott, guns, hatchets etc. have been vended annually, but this trade is now like to be totally wrested out of our hands by the Government of South Carolina, who under pretence that the Indian Nations with whom we trade live within their Government, take upon them to seize the effects of our traders and to impose high duties equal to a prohibition on all commoditys carryed thither from hence, and the like on the skins brought back; this is a new and strange pretence that Virginia, who traded with these Indians before the name of Carolina was known, should be now abridged, especially since most of the Indians with whom we trade live some hundreds of miles from any of the inhabitants of Carolina. (5). We know of no illegal trade carryed on in this Country, but for the more effectual suppressing of illegal trade, it is humbly proposed that proper officers be appointed to reside at the ports established here by Act of Assembly pursuant to H.M. Instructions, or at such of them as Commissioners of the Custumes shall think fitt, and that the shiping may be directed to ride, lade and unlade there; this with a strict charge to the officers to be diligent in the execution of their duty would effectually put an end to all endeavours for illegal tradeing. (6). The manufactures of linnen, woolen and cotton have of late been sett up for supplying the pressing necessitys of the people, the price of tobacco being so low that for some years it hath not been sufficient to purchase cloaths for the makers thereof. Pitch and tar are also made in this Country enough to supply the occasions thereof and to export a little to the West Indies and much greater quantitys might be produced, if there were an encouraging market for it. (7). The Council offer their opinion that it is for H.M. service that the present restraint and prohibition on the takeing up of land be removed, and that H.M. would supersede the Instruction to Governor Nott concerning a new method of takeing up land, because the tenures of land in this country being founded on the Charters to the Virginia Company, and afterwards confirmed by the Charter of Charles II., are now so interwoven with our laws that it is not possible without the greatest confusion to make the alteration proposed in that Instruction. All the valuable and convenient land in the country is already taken up and patented according to the ancient constitutions of the country, and what remains now being remote from the conveniencys of trade is of little value, and only desirable because there is none else to be had. According to the method proposed in the said Instruction, there can be no such thing as a succession of inheritance in any lands, for supposeing by death or any other casualty a man should come to lose his servants or slaves for which his land was granted him, he must at the same time lose his land too, since such a casualty would disable him to pay the quitt-rent proposed, and so one mis-

1708.

fortune would so unavoidably introduce another till at last perhaps after all his toil his land will be taken away by a stranger, *etc.* It is very apparent no land will ever be taken up here on the termes proposed, so long as there is any land to be had in our neighbouring Colonys on easier termes, for since the Propriety Governments, so long as their Charters are in being, cannot be abridged in granting their lands as they please, the introduceing of this kind of tenure in the Colonys under H.M. Government will only tend to the depopulateing of them, at least it can never be expected they should encrease in inhabitants for the future, since people will always go to those places where they may have land cheapest, and have a certainty of preserving it to their posterity. The restraining the takeing up land only to small tracts will be very prejudicial to H.M. interest, for if only small parcels, such as 100, 200 or 500 acres in a tract to be taken up, it will follow that the good land only will be patented, and the bad (which may be reckoned ¾th. of all that is yet to be taken up) will forever remain wast. Another thing of great concernment to H.M. service and the advantage of this Colony would be to confine the trade of this country (especially dureing the war) to regulate Fleets once a year, which may proceed from England in the moneth of September and return from hence in April, that no ship be permitted to sail to or from Virginia but in those Fleets, and that a sufficient convoy be appointed for them. By this means the market for tobacco would become certain and regular, and would not be damped by the reputation of interveneing ships, the planters would be supplyed with goods and cloathing before winter, and their industry encouraged by haveing something for their labour, and the sickness of the seamen, and the danger of the worme so frequent and fatal to the ships and seamen in the summer prevented. Lastly, that there be a sufficient guard appointed for our coast, which we humbly conceive cant be less than one ship of good force and another small vessell of 10 or 12 guns fitt to pursue the enemy's small privateers among the fflatts and shoal water; the want of such a guard has been an extraordinary loss to the trade of this country for these two years past, the enemy's privateers intercepting almost all the small vessells both outward and inward bound, and sometimes even within our Capes and in sight of H.M. ships of war, who were too bulky to follow such small light vessells, and without such a guard we have reason to beleive not only our trade will be destroyed, but even the country plundered. *Endorsed as preceding.* 4¾ *pp.*

216. (ii.) (a). The Visitors and Governors of the College

1708.

of William and Mary to Edmund Jennings, President, and the Council of State. Whereas the General Assembly thought fitt to grant to the sd. College an imposition on all skins and furrs exported, which is one of the most considerable branches of the Revenue of the College, and arises by a trade for many years carryed on with the Southern and Western Indians *etc.* *Complain* of the action of the Government of Carolina *as supra.* The Indians concerned are not under that Government. The laying dutys on European commoditys exported through any plantation to another hath never been encouraged. The goods vended being imported by this Colony directly from England, whereas Carolina has constant clandestine trade with St. Thomas' and Currasoa, and import European goods from thence, if Carolina is allowed to engross this trade, English trade will suffer. Besides they have not such conveniencys of shiping from England as the inhabitants of this Colony have to furnish them with supplys, so that they neither export from England such quantitys, nor can afford to sell them so cheap. And since it is the interest of England to encourage that trade which exports most of the British manufactures, the Trustees humbly hope that by your Honours' favourable representation of this case to the Council of Trade the unwarrantable encroachments of the Government of Carolina will receive a check *etc.* (b). Minute of Council of Virginia, Oct. 28, 1708. Resolution *ut supra. Endorsed as preceding.* 2½ *pp.*

216. iii. (a). List of the Council of Virginia.

(b). List of persons fit to supply vacancies in the Council:—Wm. Byrd, Wm. Randolph, John Page, Miles Cary, Wm. Wilson, Gawen Corbin, Wm. Armistead, of Gloucester, Arthur Allen, Wm. Taylor, Wm. Fitzhugh, Edwd. Hill, David Bray. *Same endorsement.* 2 *pp.*

216. iv. List of Militia of Virginia, 1708. *Totals*:—Captains and subalterns, 1060; horse, 2211, dragoons, 1221, foot, 6140. 1 *p.* [*C.O.* 5, 1316. *Nos.* 16, 16.i.-iv.; *and* (*letter and enclosure* 1 *only*) 5, 1362. *pp.* 369-382.]

Nov. 29. **217**. Capt. Vetch to the Council of Trade and Plantations. As to what your Lops. seem desierous to be further informed of, with relation to the numbers of the inhabitants of Canada; As to the French, I am almost moraly sure their number does not exceed 5000, for, besides the accounts I have had from their Missonarys, their merchants, their Indian traders, non of which ever aledged them to be above that number, the present Intendant of that place, M. Rodot, when talking with me of them, and who, I found, designed rather to magnify than lessen their numbers, sayd that by the accounts he had gott from the Curates of the severall parishes, he found them to be full 5,000, of which we may allow near one half to be men, there being but few French women there, the men having a reward of 60 crowns each for marying ane Indian women. As to the number of the Indians who joyn with them in warr, I cannott be so particular, for they have a great many nations who trade with them, who doe not att all joyn in warr, nay, that never come within 3 or 400 miles of Quibeck or Montreal, such as the Ottouauas, the Onagongoes, the Ilianoes, nay, quite to Missasippi, but for such as are constantly along with them in warr, I know only of five litle forts (as they call them), which is only a piece of ground palisadoed round, in which are perhaps 40 or 50 Indian familys, living in wigwams, or litle hutts, and with them generaly about 20 French and ane Officer, as well to keep them firme to their intrest, as to manage their furr trade, and prevent the Indians carrying them to Albany, as they used offten formerly to doe. The names of those five forts I find (in the lists, where our prisoners were, whom I got exchanged), to be (1) Fort Covetto, within 12 miles of Quibeck; St. Francis fort, near Trois Riviers, Chnacknawago, betwixt that and Montreal; Conosadago, about 12 miles above Montreal, and Fort Louis, att the fals above that, about 20 miles. All the judgement I can make of their numbers is only according to the opinion of the people of Albany, and our Five Nations, who judge the French fighting Indians to be near double ours, yet not able to encounter them, because not so warlike; from whence I believe they may be 800 or 900, but so dispersed, that it would take them above a month's time to bring them all in a body to one place. *Endorsed*, Recd. Read Nov. 29, 1708. 1 *p.* [*C.O.* 323, 6. *No.* 72; *and* 324, 9. *pp.* 266-268.]

Nov. 30.
St. James's.

218. The Queen to the Attorney or Solicitor General. Instructions to prepare a warrant for the appointment of William Norris to be Naval Officer in Jamaica in place of Barnaby Jenkins, decd., with a clause for obliging him to reside there, *etc. Countersigned,* Sunderland. [*C.O.* 5, 210. *pp.* 174, 175.]

[Nov. 30.]

219. Addresses, Minutes, and Papers relating to Barbados, presented to the Council of Trade and Plantations by Messrs. William Heysham and Mr. Royle, *as described* Journal of Council, Nov. 30, 1708. *Endorsed,* Recd. Nov. 30, Read Dec. 1, 1708. 28 *pp.* [*C.O.* 28, 11. *Nos.* 30-39.]

Nov. 30.
Whitehall.

220. Wm. Popple to the Merchants trading to Jamaica. Gives notice of correspondence concerning the Jamaica merchant fleet, Sept. 4, Nov. 26, 27. *q.v.* [*C.O.* 138, 12. *p.* 349.]

Dec 1.
Whitehall.

221. Council of Trade and Plantations to the Earl of Sunderland. Having during your Lordship's absence received H.M. directions from Mr. Secretary Boyle to report our opinion upon Capt. Vetch's Memorial, we inclose *following*:—

1708.

221. i. Council of Trade and Plantations to the Queen. Report upon Capt. Vetch's Scheme. The great advantages of the Plantation Trade to this Kingdom, and to your Majesty's Revenue, are so well known that we will not presume to trouble your Majesty with particular instances thereof, yet must humbly begg leave to say that your Islands in the West Indies will not be able to carry on their trade, or even to subsist (especially in time of war) without the necessary supplies from those northern Plantations of bread, drink, fish and flesh, of cattle and horses for cultivating their plantations, of lumber and staves for casks for their sugar, rum and molosses, and of timber for building their houses and sugar works. As an inducement to your Majesty's engaging in a vigourous attempt upon the French in those parts, we shall now lay before your Majesty a short view of the dammages the said Plantations have sustained by the neighbourhood of the French on that Continent. *Quote* Capt. Vetch July 27, Nov. 17 and 29, *q.v.* We humbly begg leave to offer that it will highly tend to the ease and security of your Majesty's subjects in America, and to the increase of that trade so beneficial to Great Britain, if the French be driven from their settlements on the Northern Continent. But whether the manner of doing it (*proposed by Capt. Vetch*) may be proper and effectual to that end, as it consists of matters purely military, we shall not presume to judge; and therefore most humbly submit the same to your Majesty. [*C.O.* 324, 9. *pp.* 268-289; *and* (*covering letter and part of enclosure only*) 5, 1084. *Nos.* 39, 39.i.]

[Dec. 1.] **222.** Alexander Walker to the Council of Trade and Plantations. Reply to the complaint of the Assembly of Barbados against him. *Cf.* Dec. 3, *and Journal of Council,* Nov. 30, Dec. 1. *Endorsed,* Recd. from Mr. Gillibrand, Read Dec. 1, 1708. *Enclosed,*

222. i. Petition of Alexander and William Walker to Governor Crowe for a public examination into the reasons for the commitments of George Lillington and Richard Downs, *etc.* No such order could be obtained. Aug. 31, 1708. 1½ *pp.*

222. ii. Minutes of Assembly of Barbados, Aug. 31, 1708. 2 *pp.*

222. iii. Petition of Wm. Sharpe, Alexander Walker, and Samuel Beresford to Governor Crowe, for a Council to be held this day. Sept. 1, 1708. H.E. refused. *Signed,* William Sharpe, Alexander Walker, Samuel Beresford. 1 *p.*

222. iv. Address of the Assembly of Barbados to Governor Crowe. *Duplicate.* 3 *pp.*

222. v. Address of the Assembly of Barbados to Governor

1708.

Crowe for the dismissal of Alexander Walker from the Council for having been bribed by Mr. Holder to promote the Paper Act. Aug. 31, 1708. *Copy.* 2 *pp.* [*C.O.* 28, 11. *Nos.* 24-29.]

Dec. 2. Falmouth, H.M.S. *Warwick.*

223. Commodore Mitchell to Mr. Popple. I arrived safe with all my fleet at Newfoundland May 13, and sail'd from Newfoundland Oct. 23 following, and parted with the *Advice, Looe, and Nightingall* the 24th, they being bound for the Streights and the *Winchelsea* for Oporto. The store-ships arrived a day or two before I sailed, and is arrived safe at Falmouth, Nov. 25, and I have here sent an[d] account of all my proceedings in Newfoundland, *etc.* When I received my commission from H.M., I immediately summoned all ye inhabitants, masters of ships, soldiers and all others in St. Johns to appear in Fort William, and to give me an acct. of what alligations they had against the Major, which will be laid before their Honors in a short time. *Signed,* Jno. Mitchell. *Endorsed,* Recd. 6th, Read 9th Dec., 1708. *Addressed. Sealed. Postmark.* 1 *p.* *Enclosed,*

223. i. Answers to Heads of Enquiry relating to Newfoundland, (*See* March 12, 1708). (1). There being no penalties in the Act, 'tis amongst ye inhabitants invalued. (3). 35. (4). None. (5) and (6). No complaint was made to me as to this. (7). The by-boat keepers and fishing ships do carry over such number of green men as they are capable to get, and acquaint me that, att the entry of them on board, do according to the Act, but never can produce me any certificate of the same. (8) and (9). These articles are observed. (10). I did not know any case. (11). The rules are observed as far as do consist by their way of trade. (12). The Admiralls are carefull to see yt. the Rules of the Act be discoursed on, provided it does not touch a Customer, and they gave me Journalls and an acct. of the fishery. (13). If any difference doth arise where each Admirall's customer is concerned, there will be a difference between them all, but without appealing to me, they do agree among themselves. (14). They are very carefull in carrying their press stones and ballace ashoar, and not filling the harbour up. (15). They do not go a-fishing on ye Sabbath day till 4 of ye clock in the afternoon, nor att Church, tho' I allways sent musqueteers att ye Lords of ye harbour to compell them, but it being the only victualling day, and all ye houses in St. Johns, both inhabitants and boat-keepers, sell all sorts liquour, they are forced by a file of musqueteers to pay ye Minister. (16). New England people, French Prodestants and Dutch privateers this year did resort thither. (18). All the inhabitants, boat-keepers and fishing ships do cure their fish wth. the best salt they can get, and make the most fish they can. (19). The

inhabitants in curing their fish in St. John's harbour, with their offells, does not annoy ye said harbour, nor does it annoy them. (20). The planters and inhabitants have no other sustenance than what they get out of their own gardens. They have nothing from any of ye neighbouring islands. They that belongs to ye fishery att ye northward, after they have done, goes a-furring, but what quantity they get I know not, but what they have or bought by the New Englandmen. (21). The inhabitants have their salt provissions from England and Ireland, and their necessaries for fishing likewise, and their fresh provisions from New England. (22). The New Englandmen bring from New England sugar, rum and Molossus, and ye same from Barbados, by which means the fishermen never want liquor. (23). I do not know of any Europian commodities brought from anywhere else but England and Ireland. (24). These are disposed off among the inhabitants, seamen, fishermen and ye New England sloops and brigganteens. (25). No Plantation commodity during my time was brought, except tobacco, sugar, molosses and rumm, wch. was disposed off there. (28). The value of fish 14s. per quintal, ye train oyl £14 per tunn, the fish went for Portugal and Spain, the train oyl for England. (30). Men carried from Brittain to stay or come home as their masters pleases. (31). The number of the French inhabitants att Placentia, which I have understood by my flag of truce I sent thither, are about 500, besides what belongs to ye garrisons, wch. is about 100 men.

I did endeavour to prevent all the irregularities which was mentioned in ye Additionall Instructions, and do not know of any other Europian commodities that came to Newfoundland than what came from England, except one ship from Spain and ye Queen's pass not to be molested. Ye old boome being broken, I stretched a cable across to find ye breadth, 110 fathoms. *Signed*, Jno. Mitchell. *Endorsed*, Recd. 6th, Read 9th Dec., 1708. 3½ *pp.*

223. ii. List of harbours in Newfoundland, inhabitants, (*names given*) boats, and fishing returns, 1708. *Totals*:—Boatkeepers, 240; wives, 114; children, 251; servants, 1554; boats, 291; skiffs, 76; train-fats, 240; quintalls of fish, 95574; tuns of train-oil, 533. 9 *pp.*

223. iii. (a). List of the Masters of fishing ships (*names given*) and the state of their fishery in Newfoundland, 1708. *Totals*:—Commanders, 49; ships, 49; burthen in tuns, 5135; men, 838; guns, 148; boats, 170; train-fats, 52; quintals of fish, 40,450; tuns of train-oil, 242. (b). List of running galleys (26), sack ships (7), American vessels (15), men of war's prizes (5), merchantmen's prizes (9), Dutch privateers (3), Dutch

1708

privateers' prizes (9), with their tunnage and equipment. 6 *pp.*

223. iv. Abstract of the Fishery (as above). Total quintals of fish:—135,934. Decrease in 1708; 9 ships, 107 men; Increase in 1708:—73 boats, 15,252 quintals of fish; 1124 hhds. train oyl; 556 inhabitants. 1 *p.*

223. v., vi. Duplicates of ii. and iii., with slight variations. *The whole endorsed,* Recd. 6th, Read 9th Dec., 1708.

223. vii. Capt. Vane to Commodore Mitchell. St. Johns, Oct. 28, 1708. Describes requirements for the Boom *etc.* *Signed,* E. Vane. $1\frac{1}{4}$ *pp.* *Enclosed,*

223. viii. List of necessaries required for the Boom. *Endorsed,* Recd. 6th, Read 9th Dec., 1708. $\frac{1}{2}$ *p.*

223. ix. Major Lloyd's Account of Provisions for Fort William and South Castle in St. John's. Sept. 30, 1708. *Endorsed as preceding.* 2 *pp.*

223. x. A state of the provisions remaining in Newfoundland, as surveyed by order of Commodore Mitchell, June 29 and Oct. 15, 1708. *Signed,* Jno. Mitchell. *Endorsed,* Recd. Dec. 6, 1708. 7 *pp.*

223. xi. List of provisions allowed to men (*names given*) sent out upon sundry occasions, *etc.* *Endorsed,* Recd. 6th, Read 9th Dec., 1708. 11 *pp.*

223. xii. Number of days for which the men have been victualled. Sept. 30, 1708. *Same endorsement.* 5 *pp.*

223. xiii. Account of Ordnance Stores in Fort William and South Castle. Oct. 4, 1708. *Same endorsement.* *Printed.* 3 *pp.*

223. xiv. Account of Stores wanting for Newfoundland garrison, 1709. *Same endorsement.* 1 *p.*

223. xv. Muster-roll of the Company at Newfoundland, July 25, 1707—Aug. 2, 1708. The major, 2 lieutenants, 3 sergeants, 2 drummers and 80 privates. *Signed,* Jno. Mitchell, Tho. Lloyd, Tim. Gully. *Same endorsement.* 1 *p.* [*C.O.* 194, 4. *Nos.* 76, 76 i.-xv.; *and* (*with enclosure* i. *only*) 195, 5. *pp.* 60-67.]

Dec. 3. Whitehall. **224.** Council of Trade and Plantations to the Earl of Sunderland. Enclose following to be laid before H.M. *Autograph signatures.* 1 *p.* *Enclosed,*

224. i. Council of Trade and Plantations to the Queen. *Representation* upon the complaints of Messrs. Sharpe, Walker and Beresford. *Recommend* that Governor Crowe be required to give an immediate answer thereto *etc.* *Set out,* Acts of Privy Council, II. *pp.* 574, 575.. [*C.O.* 29, 11. *pp.* 337-340; *and* (*without enclosure*) 28, 38. *No.* 74.]

Dec. 3. Whitehall. **225.** Council of Trade and Plantations to the Earl of Sunderland. Enclose following to be laid before H.M.

225. i. Council of Trade and Plantations to the Queen. *Recommend* Timothy Salter to be of the Council of

Barbados, in the room of Patrick Mein, who does not intend to return thither. [*C.O.* 29, 11. *pp.* 341, 342.]

Dec. 3. Whitehall. **226.** Council of Trade and Plantations to the Earl of Sunderland. Enclose following to be laid before H.M. in Council.

226. i. Council of Trade and Plantations to the Queen. *Report* upon petition of Thomas Pindar for passes for Spanish ships (*See* Sept. 17, Oct. 26). The Assiento trade having been found of very great advantage to this Kingdome, and to your Majesty's American Plantations (while the same was carryed on in those parts), it were to be wished that it might be resettled there, whereby your Majesty's subjects wou'd sell their negroes to the Spaniards for bullion, and have the benefit of that navigation by exporting the said negroes in ships belonging to your Majesty's subjects. Such a settlement of that trade may be impracticable during the present war; however, the promoting and settling the Assiento trade in Barbadoes as proposed by the petitioner may be of such advantage to this Kingdom and to your Majesty's Plantations, (tho thereby the trade will not be so profitable as formerly) that under the present state of affairs, we shou'd not object to your Majesty's granting the passes desired, were it not that we find the same cannot be granted without dispensing with part of the Act of Navigation 12 Car II. cap. 18, whereby 'tis provided "that no goods or commodities whatsoever shall be imported into, or exported out of any lands, islands, plantations or territories belonging to your Majesty in Asia, Africa or America in any other ship or vessell, but in such as does belong to your Majesty's subjects of this Kingdom, or Irland, or are of the built of and belonging to any of the said lands, islands, plantations or territories, as the Proprietors or right owners thereof, and whereof the Master and ¾th of the mariners at least are subjects of this Kingdom" (which number of ¾ths is by a late law reduced to one half during the present war) under the penalty and forfeiture both of ship and goods, and by the said Act it is further provided that no alien *etc.* not naturalised shall exercise the trade of a merchant or factor in any of the said places upon pain of forfeiture of all his goods, *etc.*

In 1689 a proposal for encouraging and settling the Assiento trade in the Plantations was presented to their late Majesty's by the Royall Affrican Company, wherein were contained some propositions in substance the same with what is now offered by the petitioner, which having been referred to the Judges, Nov. 17, 1689, they certifyed their opinion to be that negroes are merchandize, that it is against the Act of Navigation to give liberty to any alien not made a denizon

1708.

to trade in any of the said Plantations, or for any shipping belonging to aliens to trade or export negroes from thence, or for aliens to trade there. Wherefore since that trade cannot be carryed on in the manner proposed by the petitioner without dispensing with the Act of Navigation made for the general good, and increase of the shipping and trade of this Kingdom, we are humbly of opinion that it is not adviseable for your Majesty to grant the passes desired by him. [*C.O.* 29, 11. *pp.* 332-336.]

Dec. 4.
Jamaica.

227. Governor Handasyd to the Council of Trade and Plantations. I am favoured with your Lops. of July 13, Aug. 4 and 13, Aprill 15, and June 25. As to the stores of war, amunition etc., which your Lops. are pleased to require accounts of, I shall take care as soon as I can possibly get them from the remote parts of the Island to send them to you, as well as the Board of Ordnance. I acquainted your Lops. in my last of a vessell's being seized by the Navall Officer, according to my orders and the advice of the Attorney Genll., the person that took her not having a commission, which practice is a great encouragement to other roguerys. Since that the Navall Officer has been sued by Col. Thompson, one of the owners of the periago. I have writt to H.R.H. of the same to desire his Instructions, as I do your Lops., how I shall behave myself in this and the like cases for the future. I likewise gave an account of a boat that was taken by two of our privateers, and that she had on board her between £30,000 and £40,000, but I understand since that there was in coined and uncoin'd gold and silver 200,000 pieces of eight. Nov. 28 came in here a fflagg of truce from St. Iago upon Cuba, which I must confess I was not very well pleased with, she brought 12 English prisoners and carried away 28 Spanish prisoners. I understand by a letter to Admirall Wager, that the French are fitting out a squadron to make an attempt against this Island. I hope it will only prove a report, as we have had severall such within these 7 years, but if their design is in earnest, you shall hear they shall buy it inch by inch with the best of their blood; let their numbers be what they will, I hope that will never daunt our resolutions. Our sloops are now almost all returned from the Spanish coast, and trade has of late been very dead, the Spaniards pretending they have not mony. I have received by this packett boat 43 recruits. The Island has been for this month very sickly, and severall people have died, but now I thank God it grows pretty healthy again. I am now to desire the favour of your Lops. interest towards the relief of me and H.M Regiment under my command. It is the humble request of the officers and private men as well as myselfe, and since H.M. was 4 years ago graciously pleased by a proclamation to promise the relief of her Regiments in these parts every 3 years, which time we have exceeded 4 years, I hope we may expect not to be deny'd. And as to my own particular, I have in my long service to his late Majesty' King William, and her present Majesty received so many wounds and had the fatigue of severall cold campaigns, that the whole frame of my nature is decay'd, which makes me the more pressing. Here having been two French privateers upon our coast, one of which has taken off a man, as we suppose, for intelligence upon some design the French have to invade us, I have by the advice of the Councill, been obliged to lay an imbargo on all ships and vessells for 10 days, till we inform ourselvs what preparations the enemy is making. Admirall Wager on my giving him notice of these privateers sent out two men of war after them, one of which he has likewise ordered to cruize off the French and Spanish coast, and endeavour to get off a man from thence to learn what they are doing, and whether they have any design this way. I hope the imbargo will be of no prejudice to the trade, since it is for so short a time. *Signed,* Tho. Handasyd. *Endorsed,* Recd. 19th Jan., Read 23rd Feb., 1708. 3¾ *pp.* [*C.O.* 137, 8. *No.* 29; *and* 138, 12. *pp.* 363-366.]

Dec. 5.
Newport on Rhoad Island.

228. Governor Cranston to the Council of Trade and Plantations. *Report* upon import of negroes, in reply to letter of April 15 last. (1). We have not had any negroes imported from June 24, 1698—Dec. 25, 1707. (2). On May 30, 1696 arrived at this port from Africa the briganteen *Seaflower,* Thomas Windsor, master, haveing on board 47 negroes, 14 of which he disposed of in this Colony for betwixt £30 and 35 per head, the rest he transported by land for Boston, where his owners lived. (3). Aug. 10, and Oct. 19 and 28, 1700, sailed from this port 3 vessels directly for the coast of Africa, the two former were sloops, the one commanded by Nicholas Hillgrove, the other by Jacob Bill, the last a ship commanded by Edwin Carter, who was part owner of the 3 vessels in company with Thomas Bruster and John Bates, merchts. of Barbados, and separate traders from thence to the coast of Africa. They arrived safe to Barbados from the coast of Africa, where they made the disposition of their negroes. (4). Wee have never had any vessels from the coast of Africa to this Collony, nor any trad there, the briganteen abovementioned excepted. (5). The whole and only suply of negroes is from Barbados, from whence is imported, one year with another, betwixt 20 and 30, and if those arrive well and sound, the generall price is from £30 to £40. We have advised with the chieffest of our Planters, and find but small incouragement for that trade to this Colony, since by the best computation wee can make, there would not be disposed in this Colony above 20 or 30 at the most annually, the reasons of which are chiefly to be attributed to the generall dislike our Planters have for them, by reason of theire turbulent and unruly tempers. And that most of our Planters that are able and willing to purchase any of them, are supplyed by the offspring of those they have already, which increase daly, and that the inclination[*s*] of our people in generall are to imploy servants before negroes, *etc.* *Signed,* Samll. Cran[*ston*]. *En-*

1708.

dorsed, Recd. May 23, Read Dec. 12, 1709. *Holograph.* 1 *p.* [*C.O.* 5, 1264. *No.* 90; *and* 5, 1292. *pp.* 187-189.]

Dec. 5. Newport on Rhoad Island. **229.** Same to Same. *Acknowledges* letters, *etc.* May 14. Upon the reciept of said packett, I forthwith convean'd H.M. Councill, by whose approbation and advice I caused H.M. Instructions with the Acts of Parliament to be published, the which wee will not be wanting to see duly complyed with, *etc.*, notwithstanding that, as we are linkt to the Province of the Massachusetts (perticularly to the Towne of Boston) as to our traffick and dealing together, wee cannot, without great inconveniency and prejudice differ from them in the valuation and rates of foreigne coine. Therefore, if wee should suspend that matter about the coine, till wee can see or understand what meth[*ods or steps*] they will take in that Province, I hope H.M. and your Lordsh[*ips will pardon*] us. I do not give your Lordships this intimation by any order from [*the Colony*], but as my owne sentiments, *etc.* *Signed and endorsed as preceding. Holograph. Edges torn.* 1 *p.* [*C.O.* 5, 1264. *No.* 91; *and* 5, 1292. *pp.* 189-191.]

Dec. 5. Newport on Rhoad Island. **230.** Same to Same. Your Lordships' letter of May 7, 1707 came not to my hands till the latter end of July last, upon the reciept whereof, with the advice of H.M. Councill of this Colony, I caused the Act of Parliment for the Union of the Kingdoms to be published in the towne of Newport, the Metropolis of this H.M. Colony, at the same time causing the Milissia of the Island to be in armes for the greater solemnity thereof, and after the publication concluded the same with three vollies of small armes, and the discharge of what cannon wee had att ye Fort and Towne, which was seconded with loud acclamations of joy, *etc.* In October last, it being the first meeting of the Generall Assembly after the reciept of your Lordships' letter, I communicated the same to them, who ordered me to give you the best information I could in answerr *etc.* (1). As to the state of this H.M. Colony, since the present war, it has pleased the Almighty thro' his infinite mercy and goodness (upon our indvours) to preserve us from the assaults of the common enemy, tho' not without great charge and expence, in keeping watches and wards upon the sea coast, and scouts upon the land side into the cuntry, our lying so open to the assaults and attempts of the enemy by sea doth also occation often and frequent alarums, which doth also create great charge. This Colony are also at considerable charge and troble in maintaning (during ye summer season) a cota of men at Block Island for the defence thereof. I presume your Lordships is fully informed of our frequent expeditions by sea, in order to secure our coast from being infested with the enemy's privateers, haveing in our last given a full account thereof, as well as our great charge in assisting H.E. Col. Dudly in his expedition to or against Port Royall. Wee had nothing materiall that hapned the last summer, save one expedition on Sept. 8, upon intiligence given

1708.

me by an express from Martin's vinyard of a privateer that had taken a sloop and chased a briganteen on shoare upon said Island. I dispatched (within 3 howrs) two sloops under the command of Major William Wanton and Capt. John Cranston. The enemy fearing our sudden expedition (they being well acquainted of our dispatch upon such occations) burnt his prize and made the best of his way into the sea, so as our people could not get any sight of him, tho' they made pursuit after him about 24 howres that way, which they was informed he directed his course. (2). As to the strength and defence of this Colony, it chiefly consists (under the Providence of God) in our good look-outs, our expedition [*by sea*], and in our milissia, the which consists of all mails from [16 *to*] 60 years of age, who are obliged, at theire owne charge, to be [*always provi*]ded with a good firelock, musket or fusea, a sword or bagonet, [*catouch box*] with one pound of good powder, and 4lb. of bullets, who are to [*be ready upon*] any alarrum, or other expetion or service, to repaire to theire ensign[*s at their*] respective places of randisvouse, to attend such orders as they shall r[*ecieve*] from theire superier officers, *etc.*, the which obligations and orders is u[*pon all occasions*] very chearfully and readily obeyed and complyed with, so that what is [*before premised,*] in our Milissia consists the strength of [*this Colony it being impossible for us to forti*]fie ourselves so as to keep an enemy [*from entring into our Bay and rivers, or to obstruct*] there landing in most places in the Col[*ony, tho' we have a small fort upon an Island*] that covers the harbour of Newport, whi[*ch is mounted with* 15 *pieces of ordnance from*] 6 to 9 pound ball, and is a security [*to our navigation and the aforesaid town against*] any small force. (3). As to the administration of Justice, wee have two generall courts of tryalls, which is on the last Tuesday in March and the first Tuesday in September annually, att which Courts are tryed all actionall and crimonall causes hapning within said Collony, where the Laws of England are approved of, and pleaded, to all intents and purposes, without it be in some perticuler acts for the prudentiall affaires of the Colony, and not repugnant to the Laws of England. (4). As to the number of inhabitants, *etc.*, I enclose a list in as true and exact a manner as I could procure it from the severall townes. (5). As to trade and ships *etc.*, I enclose a list. (6). As to what commodeties exported from this Colony to England, and how said Colony is now supplyed with any manufacturies that it was wont to be supplyed with from England, this Colony niver had any direct trade to or from England, nor any supply directly from thence, but what commodeties any of the inhabitants have had to export for England, hath bin exported by way of Boston, where there returns are also made, and from whence wee have and are cheifly supplyed with the manufactury of England, and it is computed that not less then £20,000 in cash hath bin annually (for some years past) remitted from this Colony to Boston upon that account. (7). As to the methods taken to prevent illegall trade, wee have a Collector and

1708.

Controler of H.M. Customes setled by the Hon. the Commissrs. in this Colony, and a navell officer by the Governer, who take all due methods and care they can by serching and inspecting the severall cargoes imported, and putting the severall masters upon theire oaths, etc. Wee have had no trade to any place but Corrico that could give us any suspicion of illegall trade, but that trade is at present wholy laid aside by our traders, so that I know of no other place that they have any trade to or from that can give us grounds to suspect any fraud. Your Lordships may assure yourselves that all due methods will be taken, as there may be occation, to prevent and suppress any illegall trade, that may hereafter be managed by any of our traders, and that what orders wee shall at any time recieve from your Lordships will be punctually and duly observed *etc.* (8). As to the number of vessels built in this Colony, wee are not capable to informe your Lordships, by reason there hath bin no list ever kept till since the Act for registring hath bin in force, from which time you have an exact account in the inclosed list. (9). As to the increase or decay of the trade of this Colony of late years, [*it d*]oth appeare that about 20 years past wee had not above 4 or 5 vessels that did belong to this Colony, wch. hath since gradually increased to 29. The reason of which increase (as I apprehend) is chiefly to be attributed to the inclination the youth on Rhoad Island have to the sea; the land on said Island being all taken up and improved in small farmes, so that the farmers, as theire families increase are compel'd to put their children to trades, but their inclinations being mostly to navigation, the greater part betake themselves to that imployment, so that such as are industrious and thrifty, as they get a small [*stock beforehand, improve it in getting part of a vessel, as*] many of the tradesmen [*in the town of Newport also doth for the benefit of their children that are bred to navigation, in which town consists the chiefest of our navigation, not above* 2 *or* 3 *vessels belonging to all the Colony besides.*] One other cause of the increase of our trade is, that it has pleased God to protect them from the hands of the enemy, so that they have not lost above two or three vessels taken this war, they being light and sharp for runners, so that very few of the enemy privateers in a gaile of wind will rong or outsaile one of our laded vessells. The Colony is putting the severall acts of Assembly in a method for the press, as soone as it can be accomplished will not faill in sending your Lordships a copy of the whole, and will according to your Lordships' command transmit yearely accotts. of there administration, and additionall Acts of Assembly as opertunity will present. Thus may it please your Lordships you have the most exact and imperciall account I am capable of giveing you at this time, tho' my plaine and homely method of wrighting may not be so acceptable and intiligable to your Lordships as it ought to bee; yet I will depend so far upon your Lordships' goodness, that you will pardon my rudeness therein, and accept my good will and inclination to serve H.M. and your Lordships

1708.

with all faithfullness and integrity, to the best of my capasity and abillity, and that you will believe me to be H.M. loyall and dutifull subject. *Signed*, Saml. Cranston. *Endorsed*, Recd. 23rd May, Read Dec. 12, 1709. *Holograph*. $2\frac{1}{2}$ *pp*. *Edges torn*. *Enclosed*,

230. i. List of Inhabitants of Rhode Island, Dec. 5, 1708. Totals: Freemen, 1015; Militia, 1362; White servants, 56; black servants, 426. Total inhabitants, 7181. There was no list of inhabitants ever taken before. The Milissia hath increased since Feb. 14, 170$\frac{4}{5}$, the number of 237. *Signed*, Saml. Cranston. 1 *p*.

230. ii. Number of vessels built in Rhode Island 1698—1708; Ships, 8, briganteens, 11, sloops 84. Belonging to Rhode Island, 1708;—briganteens, 2, sloops, 27. *Exports* to Jamaica, Barbados, Nevis, Antigua, St. Kitts, Montserrat—lumber, beef, pork, butter, cheese, onions, horses, candles, cider. *Imports* thence, shuger, molasses, cotten, ginger, indico, piemento, rum, English goods, both wollens and linnins, sweeds, and Spanish iron. *Exports* to Bermuda, Bahama Islands, and the Salt Islands (Salt Tertudoes and Turks Islands)—rum and provisions. *Imports* thence,— salt, and, from Bahamas, braziletto. *Exports to* Carolina,—Rum, sugar, molasses, butter, cheese. *Imports thence*,—Rice, pitch, pork, peltry, walnut wood, bearskins and deerskins. *Exports to* Virginia and Maryland,—Rum, molasses, butter and cheese. *Imports thence*,—pork, wheat and English goods. *Exports to* Pensilvane, Jarseys, and New Yorke,—Rum, butter, cheese and money. *Imports thence*,—flower, wheat, bisquet, drest leather and bacon, and (from New York) rigging. *Exports to* Connecticut, —rum, shuger, molasses, New England iron. *Imports thence*,—grain, flax, pork, boards, tar, pitch, turpentine, rosin. *Exports to* Massachusetts Bay,—butter, cheese and money. *Imports thence*,—all sorts of European commodities. *Exports to* Madera and Fyall,—shoes, wheat, Indian corn, wax and money. *Imports thence*, —wine. *Exports to* Surinam,—provisions, butter, cheese, onions and horses. *Imports thence*, Molasses. *Exports to* Curacoa,—provisions, boards, butter, cheese and onions. *Imports thence*,—pieces of eight, salt, and caccao. Number of seafaring-men belonging to Rhode Island,—140. *Signed*, Saml. Cranston. *Endorsed as letter*. 1 *p*. [*C.O.* 5, 1264. *Nos*. 92, 92.i.,ii.; *and* (*without enclosures*) 5, 1292. *pp*. 192-199.]

Dec. 8. Whitehall. **231**. Earl of Sunderland to the Council of Trade and Plantations. *Encloses* petition of Bermuda for the removal of Mr. Jones from the employment of Secretary and Provost Marshall. You are to hear their Agents upon those complaints which they alledge have not been fully heard, and report thereon. I am also commanded to refer to your consideration a petition of the

1708.

Island for leave to load and unload their vessels in the country, *etc.* *Signed,* Sunderland. *Endorsed,* Recd. 9th, Read 13th Dec., 1708. 1 *p.* *Enclosed,*

231. i. Deposition of Justices of Bermuda that Governor Bennett never did insinuate and direct us to propose to our Tribes or Parishes any particular person to be a Member of Assembly. *Signed,* George Darrell, Danl. Jonson, Robert Burchhall, Saml. Sherlock, Willm. Tucker, Wm. Outerbridge, Richd. Gilbert, Francis Jones, Tho. Burton, John Dickinson, Henry Tucker. $\frac{3}{4}$ *p.*

231. ii. Deposition of Charles Minors that Lt. Governor Bennett has not received or demanded any of the fees or perquisites of the Secretary's Office. Nov. 20, 1707. *Signed,* Cha. Minors. *Sealed.* 1 *p.*

231. iii. Petition of Council, Assembly, Judges, Justices, Officers and Inhabitants to the Queen, praying that Mr. Jones may not be restored to his Offices in the Island. 460 *signatures.* *Endorsed,* Recd. 9th, Read 13th Dec., 1708. *Seal.* 3 *large pp. sewn together.*

231. iv. Same to Same. Pray that they may not be restricted to loading and unloading their ships and vessels at the Town or Castle Harbour at St. Georges. This Instruction was intended in the time of the Proprietors to secure them the duty of 1d. per lb. on Tobacco, which was then made in great quantitys. Lately, the land is so extreamly impoverished that it will not produce tobacco as formerly, and the inhabitants do not plant it, it being much cheaper to buy from Virginia. But they still labour under the same Instruction, "which hath in a great measure already and if continued will be the utter ruin of the unhappy Petitioners, whose subsistance is chiefly by navigation." The chief product of the Island is provisions, but not more than $\frac{2}{5}$ths. of what is required, their small vessels supplying the rest, which for want of commodities here, generally go from hence empty to the Salt Ponds, and bring salt here to be landed in their store-houses, till they have an opportunity of transporting it again (it being at such a time of year that they cannot carry it to the Northern Plantations) and then return to the Salt Ponds for another load, which they carry to Carolina, Roanoak, Virginia, Maryland, Pensilvania, New York, and New England, and bring back Indian corn, bread, flower, pork, etc. They must be ruined if they cannot land at their own store-houses (which are a great distance generally from the harbours), and having no conveniency of land-carriage, are obliged to transport everything in small open boats. The inhabitants not dwelling in towns as in England, but everyone on his little Plantation most persons haveing a convenient harbour for boats near their own dwellings. In the

1708.

beginning of the winter, before the salt season comes on, our vessels do transport hence great quantitys of cabbages, and at other times onions (which the poorer sort of people do plant) to several parts of the West Indies, and return from thence with English goods, sugar, rum, mellasses, and cotten, of which last a great part of our apparel is made; all which must also be unloaded in one of the aforemention'd harbours. Such perishable exports as cabbages and onions must be loaded near where they grow *etc.* 462 *signatures. Endorsed as preceding. Seal.* 3 *large pp. sewn together.* [*C.O.* 37, 8. *Nos.* 73, 73.i.-iv.; *and* (*without enclosures*) 38, 6. *p.* 432.]

Dec 8.
Whitehall.
232. Council of Trade and Plantations to the Earl of Sunderland. Enclose loyal Address from the Governor and Council of Antigua to H.M. [*C.O.* 153, 10. *p.* 246.]

Dec. 9.
233. Lords Proprietors of Carolina to the Council of Trade and Plantations. *Reply* to Nov. 10. This was not done by any order from us: But the Secretary and Attorney General of Our Province are coming over by this Virginia Fleet, which is now daily expected, and immediatly after their arrival, we shall lay the whole grounds of the premisses before your Lordships. *Signed,* Craven, Palatine; Beaufort, M. Ashley, J. Colleton, John Danson. *Endorsed,* Recd. Read Dec. 10, 1708. *Addressed. Sealed.* 1 *p.* [*C.O.* 5, 1264. *No.* 52; *and* 5, 1292. *p.* 70.]

Dec. 9.
Craven
House.
234. The Lords Proprietors' Commission to Edward Tynte, Governor of N. and S. Carolina. *Set out,* N.C. Col. Rec. I. 694. [*C.O.* 5, 289. *pp.* 158-160.]

Dec. 9.
Whitehall.
235. Council of Trade and Plantations to the Earl of Sunderland. Since our Representation (*Dec.* 1), we have received a letter from the Lord Cornbury (*Aug.* 20) wherein many things are contained, showing the advantage and facility of expelling the French out of Canada; which being of the like nature with what has been proposed by Capt. Vetch, we inclose an extract, which your Lordp. will please to lay before H.M. with our aforesaid Representation. [*C.O.* 5, 1121. *p.* 355.]

Dec. 11.
St. James's.
236. H.M. Warrant for Francis Phipps to be of the Council at St. Christophers. [*C.O.* 5, 210. *p.* 123.]

Dec. 11.
Craven
House.
237. The Lords Proprietors' Commission and Instructions for Edward Hyrne, Naval Officer of S. Carolina. *Signed,* Craven, Palatine, Beaufort, M. Ashley, J. Colleton, J. Danson. [*C.O.* 5, 289. *pp.* 156, 157, 193.]

Dec. 11.
Craven
House.
238. The Lords Proprietors' Commission and Instructions to William Saunders to be Attorney and Advocate General for South Carolina. *Signed,* Craven, Palatine, Beaufort, M. Ashley, J. Colleton, J. Danson. [*C.O.* 5, 289. *pp.* 161, 185-187.]

1708.
Dec. 11.

239. The Lords Proprietors' Commission and Instructions to Nathaniel Sale to be Receiver General of South Carolina. *Signed as preceding.* [*C.O.* 5, 289. *pp.* 161, 188-190.]

Dec. 11.
Craven House.

240. The Lords Proprietors' Commission to the Honble. Robert Gibbs, Esq. to be Chief Justice of South Carolina. *Signed as preceding.* [*C.O.* 5, 289. *pp.* 208, 209.]

Dec. 11.
Craven House.

241. Sir John Colleton's Patent for 4423 acres in Carolina, Mulberry Plantation, upon the Western branch of Cooper River. *Signed,* Craven, Palatine; Beaufort, M. Ashley, J. Colleton, J. Danson. Dec. 11, 170$\frac{8}{9}$ (*sic*). [*C.O.* 5, 289. *p.* 204.]

Dec 13.

242. Col. John Frere to the Council of Trade and Plantations. Son of the late Tobias Frere, petitioner is a J.P. of Barbados, Col. of the best regiment of horse and was bred and born there. *etc.* *Prays* to be appointed Councillor in place of Col. Richard Scot, who has been $5\frac{3}{4}$ years absent from his post. *Endorsed,* Recd. Read Dec. 13, 1708. $\frac{3}{4}$ *p.* *Enclosed,*

242. i. Certificate in favour of Col. J. Frere. *Signed,* Rob. Lowther, Rob. Heysham, Richard Diamond, Richd. Tilden, Edw. Lascelles, Jos. Mayne, Matt. Matson, Manasses Gilligan. 1 *p.* [*C.O.* 28, 11. *Nos.* 41, 41.i.; *and* 29, 11. *pp.* 347-349.]

Dec. 13.
Kingston.

243. Tho. Mitchell and Richd. Basnet to Mr. Milner and Mr. Morris. Opinion of the Planters and Merchants of Jamaica on the African Trade. The attempts of the African Company to get the wholesale trade to Guinea into their own hands exclusive of all ye rest of ye Queen's subjects, has put us under ye apprehensions of being thereby intirely ruined in this Island for want of negroes to supply and improve our Plantations. We have now many persons in ye Island that sell negroes on accott. of separate traders, and give considerable credit for them to the great benifit and improvement of our Plantations, and if we cannot purchase at a reasonable rate of one person, we can goe to another, but if ever this trade be put into ye hands of an exclusive Company, we shall then have but one person to purchase of, and must give his price, be what it will, or elce let our settlements goe to ruin for want of negroes to cultivate our land, which will not admit of the plow or anything elce, but a number of hands to improve it. When a Company or single person have ingrost any perticular trade intirely into their own hands, they will certainly endeavour to manage it soe as to yeild ye greatest proffit with ye least risque to themselves, whatever ye publick or any perticular place suffer by it. If the Affrican Company obtain an exclusive Act for ye Guinea Trade, ye fewer negroes they import into ye Colonies, the dearer they will be sold, and noe doubt they may raise them to £50 a peice, by not importing into all ye Plantations above 5000 head per annum, wch. if sold but at £40 per head, it's plain the Company will get as much proffit as by importing 25,000 at £20. *etc., etc., elaborated.* Also, an exclusive company will deprive us of a great part of ye benifit we hope to reap by ye union, for that part of ye Kingdom formerly called Scotland will be intirely excluded from ye trade, and soe will all other parts of H.M. Dominions except London, and therefore it cannot be supposed that ever ye Parliament will give up ye right which all ye people of Great Brittain and ye Plantations have to this trade into ye hands of a monopolizeing Company to ye destruction of ye Colonies and general damage of ye whole Kingdom, *etc.* *Endorsed,* Recd. 8th, Read 9th Feb. 170$\frac{8}{9}$. 2 *pp.* [*C.O.* 388, 11. *No.* 111.]

Dec. 14. Whitehall. **244**. Council of Trade and Plantations to the Queen. Col. Richard Scot, one of the Council of Barbadoes, having been near six years in this Kingdom, and having from time to time promised your Majesty's late Commissioners for Trade to return to his post, and having lately declined attending us in order to our being informed of his final resolution, we are humbly of opinion that it is not for your Majesty's service that the Counsellors should be permitted to be so long absent from their duty, and therefore offer that your Majesty dismiss him and appoint John Frere (Dec. 13) in his stead. [*C.O.* 29, 11. *pp.* 350, 351.]

Dec. 14. Whitehall. **245**. Council of Trade and Plantations to Governor Parke. *Acknowledge* letters of Aug. 23, 24. We shall take into consideration the list of negroes imported, which you have sent us, but you have not fully observed the directions we gave you, Aprill 15, to consult some of the principal planters and inhabitants within your Government touching the negro trade, and particularly what number of negroes they might think necessary for the annual supply of the Leeward Islands; this therefore we expect you will do by the first oppertunity. As to your refusing to swear Mr. Perry, who was chose one of the Assembly, for not being a freeholder, we can only say, that where there is no law to direct in any particular case, then we think it safest for you to follow the antient custome of the Island, and we think that the Assembly is the proper Judge of the qualification of their own Members. None of the complaints which you mention have yet been laid before us. When they shall be, we shall then consider the answers you make thereunto. In the meantime, we can only assure you that no impressions to your prejudice will be made upon us, till you have been heard. We have considered the Bill past by the Assembly of Antegoa, *for ascertaining and declaring the elections of Representatives,* etc., as also the Bill drawn up by the Councill. The Lt. Governor and Councill were much in the right in not passing the Assembly's Bill, which is of such a nature as wou'd not have been approved by H.M. As to the Bill prepared by the Councill, we have this observation to make, that in the clause which appoints the method and time for chusing Assembly men, there ought to be a direction that due and reasonable notice of the respective days of election be affixed in the most

1708.

publick places of the Island. We must further take notice that the last clause, relating to the Assembly's right to hear greivances, ought to be omitted, for we find that an Act that was past at Barbadoes, relating to the Election of Representatives, having the very same clause in it, was for that and other reasons repealed. What we writ you, June 25, concerning seizures, did arise from what you had writ Oct. 22, 1707, *quoted*, so you may see that what wee writ was not without ground. We shall expect your answer to the third and fourth paragraphs of [y]our letter of June 25 relating to the Acts for quartering of soldiers *etc.*, and to getting of a law past for the better regulating of Courts. When you transmit to us the list of Patent places which we have writ to you for, we desire you to inform us whether there be an oath of office annexed to any of the said places, and if so, whether the Patentees have taken that oath or no. [*C.O.* 153, 10. *pp.* 247-250.]

Dec. 15. [N.S.] Middelburgh. **246**. Hans Hantenaar to the Directors of the Dutch West India Company. *Signed*, Hans. Hantenaar. *With enclosures. Dutch.* 2 *pp.* [*C.O.* 116, 20. *Nos.* 16, 16.i. *ff.*]

Dec. 15. Whitehall. **247**. The Council of Trade and Plantations to Governor Handasyd. *Acknowledge* letter of Sept. 24. As to Mr. Whitchurch's petition, H.M. having declared her pleasure in that matter, we shall add nothing more thereupon. Your care in getting private intelligences is very commendable, and tho your reasons for not laying before the Assembly your disbursments upon that account be good, yet we doubt not but you know where and how to make the proper application here. It was not for any disregard to your recommendation that Mr. Francis Oldfield was not put into the Councill, but upon account of others standing before him upon our lists, who were equally well qualifyed, but as we writ you, Nov. 25, Mr. Oldfield being now the first person upon our list, we shall be mindfull of him upon the first vacancy. We have considered what you write about Mr. Totterdale's behaviour towards the Attorney Generall, and do think the Court ought to have asserted its own authority in punishing any contempt in Court, which power is incident to every Court of Justice. We shall expect an account of the tryal of the ship which you say was seized for the Queen for having been taken without a legal Commission. The reason for restoring Mr. Barrow to the practice of the Law in Jamaica was, that Mr. Barrow having been once admitted by the Courts, he has an undoubted right, and ought to enjoy the liberty of practicing as a lawyer till convicted of such misbehaviour in his said practice as shall amount to a forfeiture of such right. Upon the receipt of your forementioned letter, we immediately gave notice to the Admiralty of what you writ in relation to the Jamaica fleet coming home; and we received an answer from thence that care was taken therein and some ships of war gone out to meet them. In your letter transmitting the account of Negroes you have ommitted to

1708.

acquaint us whether you had consulted the principal Planters and inhabitants in your Government, relating to the Negroe trade, and particularly what number might be annually necessary for the supply of Jamaica. We therefore desire that you will consult the said inhabitants and Planters upon this matter, and that you do acquaint us therewith by the first opportunity. We desire you to inform us whether there be an oath of office annexed to any of the patent places, and if so, whether the patentees have taken that oath or no. [*C.O.* 138, 12. *pp.* 350-352.]

Dec 15. Whitehall. **248.** Council of Trade and Plantations to Governor Crowe. *Acknowledge* letter of Aug. 18. What we writ in relation to the dissolution of the Assembly, was occasioned by what you had said, March 1, which not being so clearly expressed as it ought to have been, we were thereby misinformed. If they did sit out their full time as limited by their Act, you are no ways blamable in that matter. We are in hopes that the Assembly will raise the necessary funds for compleating of Fort St. Anne, which, if they do, will be of good service. You acquaint us that most of the publick accounts are stated; we shall expect that you transmit to us copies thereof as soon as possible. As to what you write about two convoys a year for the trade of Barbadoes, that matter being before H.M. by an Address from the Assembly, if H.M. be pleased to refer the same to us, we shall then report our opinion thereupon. In the meantime we shall only say, that if the circumstances of the war would permitt, it seems a thing desireable, but at present we fear it will be difficult to obtain. In answer to what you write that the Act for incouraging the trade to America has taken from the Governors the power of pressing seamen for H.M. service, [*which*] will occasion several inconveniences, we can only say that there are such provisions in the Act for this matter, that we hope the same will answer the end. In the list of Patent Offices which you have sent us, you have not mentioned the Secretary's Office, nor told us the value thereof, which we expect therefore you will do by your next, as also that you inform us whether there is an oath of office annexed to any of the said offices, and if so, whether the Patentees have taken that oath or no. We have received, (Aug. 18) the Address from the Assembly to yourself, and observe that they complain that the deposit money, and other grievious extortions in the Register's Office of the Court of Chancery are not yet refunded; nor the symoniacal dispositions of the Church livings in Sir B. Granville's time inquired into. These are things which you ought to have done, and which therefore we shall expect from you. In your letter transmitting the account of negroes, you have omitted to acquaint us whether you had consulted the principal Planters and inhabitants in your Government relating to the negroe trade, and particularly what number might be annually necessary for the supply of Barbadoes, we therefore desire that you will consult the said inhabitants and

1708.

planters upon this matter, and that you do acquaint us therewith by the first opportunity. We observe that one of the matters contained in the charge against you is, that you gave way to the Assembly's ordering the Treasurer to dispose of publick monies to be laid out in presents; which we look upon to be contrary to your Instructions, and a practice which you ought by no means to have allowed. P.S. Since our writing the above letter, we have receved one from Col. Sharp, Mr. Walker, and Mr. Beresford, dated Oct. 11, transmitting to us their remarks upon the Assembly's Address to you against them, which reminds us what you writ, Sept. 6, that you will transmit your answer to their complaints by the first oppotunity, and we cannot but take notice that the packet-boat which sailed from Barbadoes Sept. 25, and the ship which brought us the above-mentioned letter of Oct. 11, are two opportunities you have omitted. By the first you had 17 days from the date of the said letter, and by the last 35 days to make your answer. The charge against you being of so high a nature, and which you knew was sent over to us in order to it's being laid before H.M., it is very extraordinary you did not think yourself enough concern'd to make your answer in that time. [*C.O.* 29, 11. *pp.* 352-356.]

[Dec. 16.] **249.** The present state of the Tobacco Plantations, etc. Before the present war, France and Spain annually took off near 20,000 hhds. of Virginia and Maryland tobacco; but of late both those Kingdoms have been otherwise supply'd. The troubles in Sweden, Poland, Russia, etc., have prevented the usual exportations of great quantities of tobacco to those parts. Virginia and Maryland have severely felt the loss of such exportations, having so far reduc'd the Planters that for several years past the whole product of their tobacco would hardly clothe the servants that made it, notwithstanding the ready and earnest endeavours of the Lords Commissioners of Trade, *etc.*, to prevent such mischiefs, and encourage the tobacco-trade. This hath produc'd two effects. (1) Some, in hopes of better success, have continued planting till they have run themselves so far in debt that they have been forc'd to sell part of their land and servants, to secure the rest. (2). Others, out of meer necessity, have fallen into the manufacturing of woollen, cotton, flax, leather, etc. Which they have brought to such perfection, that four whole counties, and part of several others, not only clothed themselves, but sold great quantities of the same manufactures to other neighbouring counties. These Plantations of Virginia and Maryland, in times of peace, yearly, (and in the war, in fleets) have taken off not less than the value of £300,000 sterl. in the woollen and other manufactures of this Kingdom; and, in return, send the product of their labour, tobacco; which pays annually to the Crown above £400,000 Customs, exclusive of what is drawn-back, by debenture, on exportation. Wherefore it is humbly hop'd, a general liberty, and further encouragement may speedily be given for the exporting of to-

1708.

bacco, and all other products of the Plantations, and manufactures of Great Britain not counterband, for France, etc., to prevent the impending ruin of the Plantations, and regain the advantagious trade of sending the woollen and other manufactures of Great Britain to those Colonies, which otherwise must annually decrease. *Note.* The establishing of woollen and other manufactures in America will not only lessen the planting tobacco, but consequently very much diminish the revenue and navigation of this Kingdom. *Endorsed,* Recd. Read Dec. 16, 1708. *Printed.* 1 *p.* [*C.O.* 5, 1316. *No.* 8; *and* 5, 716. *No.* 55.]

Dec. 17. **250.** Attorney General to the Council of Trade and Plantations. *Report* upon Act of Nevis (1704) for *establishing of Courts, etc.* (*Cf.* Aug. 24, 1708). I am of opinion that the said Act is not in all respects such as ought to be allowed of by H.M., notwithstanding there be in it very many usefull clauses; for, in the first place, tho' it be very fit to have such a number of judges as are therein constituted, and it may be convenient that they should be appointed by the C. in C. of the Leward Islands, yet it will be certainly better for the Crown to have it still in their power to direct how they shall be commissionated from time to time; For H.M., who is the Fountain of Justice, ought alwayes to have it in her power to appoint who shall be judges; and tho for her ease she often delegates that power to her Governors in Chief, yet it may not be convenient to have that power annexed to the office of C. in C. by an Act of Assembly, especially when the Act gives the judges as ample powers and jurisdictions as the judges in Westminster Hall have in their respective Courts in England, without reserving liberty of appeal to H.M. here in England. In the next place it is in my opinion not fitting to fix the Courts to be holden at any one particular place; for tho Charles Town be the most convenient place at present for such Assemblies to be holden at, yet it may be visited with a plague, or may be in the possession of enemies or rebells; and tho' it's said the power of adjourning the said Courts shall be discretionary in the judges, yet it may be questioned hereafter whether it be left to their discretions to appoint another place for holding the Courts by adjournment, it not being said in the Act that they may adjourn to such other places as they shall think fitt. Thirdly, 'tis enacted that all actions shall be enter'd in the Secretarye's Office 10 dayes before the holding such respective Courts, and the Plaintiff must give the Deft., or his Attorney copyes of his charge within 3 dayes after the entring dayes are over, when perhaps the Deft. has not appeared, and is not to be mett with. Fourthly, the summons for to compell Defts. to appear is to be issued forth by the judges, before whom there is no cause depending; for the actions are to be enter'd in the Secretarye's Office, and from thence the summons ought to issue and be made returnable before the judges as our originall writs are, which are taken out of Chancery and made returnable in the Queen's Bench or Common Pleas. Fifthly, it sayes the Deft. or his Attorney must be summoned full six dayes before the sitting of the Court, and served at the same time with a copy of the Plaintiff's declaration, which restrains the serving process within the compass of 3 dayes, for the copyes of the charge must not be delivered till after the entring dayes are over, and the entring dayes continue till within 10 dayes of the sitting of the Court; so that, if the summons must be served, and the copy of the declaration must be delivered six dayes before the sitting of the Courts, there cannot be more than three or four dayes for finding out the Deft. But to ease this difficulty 'tis enacted, sixthly, that leaving a note at the usuall abode of the Deft. shall be as effective as a personall summons; and if a Deft. be absent from ye Island, having made no Attorney, his effects in the Island shall be as lyable to the Plaintiff's suit as if the Deft. had appeared, that may be hard on the Defts., since their effects can't make the defence that might be made by the party himselfe. Seventhly, 'tis enacted that issues shall be tryed the same Court they are pleaded, which may be very inconvenient to both partyes, for perhaps neither of their wittnesses may at that time be forthcoming. Eighthly, it requires the appraisors, that appraize goods upon an execution, to be sworne by the Judge that signed the execution, or in his absence by the next to him in Commission, wch. restrains the giving such oathes to two Judges, whereas the officer, that is entrusted with the execution, may administer such an oath as well as any judge. Ninethly, 'tis enacted that all ffees belonging to any officer of any of ye Courts are to be levyed by attachmt. to be signed by ye first judge on ye Bench without any other suit, wch. may encourage ye officers to exact ffees of ye suitors; therefore upon ye whole I am of opinion that this Act ought not to be established one of ye Laws of ye said Island. *Signed*, Ja. Mountague. *Endorsed*, Recd. Read Dec. 20, 1708. 4 *pp.* [*C.O.* 152, 8. *No.* 2; *and* 153, 10. *pp.* 250-254.]

Dec 17. Whitehall. **251**. Council of Trade and Plantations to the Earl of Sunderland. *Recommend* Mr. Christopher Rhodes for the office of Secretary of one of the Plantations when a vacancy occurs, he, being a person of good capacity and integrity, having given a general satisfaction as Secretary to the Nevis Commission, and having been bred up in business *etc.* [*C.O.* 389, 36. *pp.* 372, 373.]

Dec. 18. New York. **252**. Governor Lord Lovelace to the Council of Trade and Plantations. I do myselfe the honour to acquaint your Lordships that I very happily arrived here this morning, having been 9 weeks and odd days in my passage, the *Kingsale* in which I came, being separated from the fleet, got into Buzard's Bay in New England, and getting pilots there, gained our passage through the Sound between Long Island and the Main, and landed at Flushing. I do not yet hear of the arrivall of any

1708.

other ship of our fleet, except the *Unity*, which struck on the Bank at Sandy Hook. She was left by all her seamen, but has since got off, and is gone to sea again. Wee have not since heard of her, but hope she is safe, having two good pilots from hence on board. Our winter sets in very hard, ye ports and rivers are full of ice. I am in pain for the Germans and recruits on board the *Globe*, they wanting water, and the weather not permitting us to assist them. This coast is so terrible in the winter, I think no ship ought to be sent hither from England after August at farthest. Our poor seamen were so benummed with cold, that at last wee had but 25 men fitt to do any duty, and had not the soldiers which wee had on board assisted, the ship had been in great danger. I shall take care to send the dispatches I have for the severall Governours on the Continent, and to conforme myselfe to the severall Instructions I have received from your Lordships. *Signed*, Lovelace. *Endorsed*, Recd. 2nd, Read 4th April, 1709. 2 *pp.* [*C.O.* 5, 1049. *No.* 101; *and* 5, 1121. *pp.* 365, 366.]

Dec. 18. Whitehall. **253**. Mr. Popple to Mr. Burchett. *Encloses* extract from Col. Jenings' letter, Sept. 20. The Council of Trade and Plantations desire to be informed whether any guard ship is appointed for that service. *Encloses* extract from Governor Seymour's letter, complaining of his not having timely notice of the sailing of Commodore Huntingdon. As this may tend very much to the prejudice of the Maryland trade, should it be continued, I am to desire you would lay the said extract before the Lord High Admiral. [*C.O.* 5, 1362. *p.* 326.]

Dec. 18. Admiralty. Office. **254**. Mr. Burchett to Mr. Popple. *Reply to* preceding. The *Guardland* is appointed a guardshipp for Virginia, and will proceed on her voyage soe soon as the Trade is ready. I will enquire into the matter of Col. Seymour's complaint. *Signed*, J. Burchett. *Endorsed*, Recd. Read Dec. 20, 1708. *Addressed.* 1 *p.* [*C.O.* 5, 1316. *No.* 10; *and* 5, 1362. *p.* 327.]

Dec. 18. London. **255**. Mr. Dummer to Mr. Popple. The Antego packett boate, which sailed Nov. 13th from Bristoll, had the misfortune on the 9th day following, 45 leagues N.W. of the Norward Cape, to meet with a French privateer *etc.*, and was brought to St. Mallo, soe that all those dispatches which shee carryed outward were put overbord and lost. *Signed*, E. Dummer. *Endorsed*, Recd. 18th Dec., 1708. *Holograph. Addressed. Postmark.* 1 *p.* [*C.O.* 323, 6. *No.* 73.]

Dec 18. Whitehall. **256**. W. Popple to William Penn. The Council of Trade and Plantations having long expected to be informed of what determination you and the Lord Baltemore should come to in relation to the boundaries between Pensylvania and Maryland, and not having received any such account from either of you, they have commanded me to acquaint you that they shall be obliged to represent the matter as it now lyes before them, unless you

1708.

have some good reason to the contrary. *Mem.* The Lord Baltemore was spoke to by the Secretary to the same purpose. [*C.O* 5, 1292. *p.* 71.]

Dec. 18.

257. Same to [*John*] Lloyd. The Council of Trade and Plantations command me to remind you of the promise you made them, July 6th, to give them a particular information of the trade you then mentioned to be carryed on between Carolina and Portugal, this their Lordships desire you would do as soon as possibly you can. [*C.O.* 5, 1292. *p.* 71.]

Dec. 20.
Whitehall.

258. Council of Trade and Plantations to the Queen. *Propose* Philip Lynes, Thomas Addison, John Hall and William Whittington to be of the Council of Maryland, they having been recommended by the Governor and by Col. Blakiston. [*C.O.* 5, 727. *pp.* 108, 109.]

Dec. 21.

259. Account of the taking of St. Johns, Newfoundland, by the French upon this day. *See* Dec. 3, 1709.

Dec. 21.
Boston.

260. Lt. Governor Usher to the Council of Trade and Plantations. Since mine in June lastt H.E. haveing recd. accott. of a body of French and Indians design'd from Canada to assault our frontiers, in Augtt. lastt was pleased to give me orders forthwith to repaire into Govermt. of N. Hampshire, to take care thereof. Upon my there ariveall, found people very secure and remiss. I sentt for Malitia Officers, enformed myselfe of true state of places, forthwith gave outt orders for due scoutting and strict watching and warding. After had bin there some time, haveing setled all matters, with H E.'s leave return'd to Boston, gave H.E. accott. of my procedeings, copy inclosed. For me to goe into the Province in time of greatestt hazard of my life by the enemy: expecting hourly to be attacked, to bare all my own charges and nott allowed one peny, and for the Treasuror to pay £20 for one Pickerin goeing to Boston to vissitt an Agentt, sentt by Assembly (George Vaughan) and nott by Governor and Councill, leave itt wth. yor. Ldships. the respectt they have for Queen's comistion. I judge your Ldships. have a full acct. from H.E. of the attack by French and Indian enemys, whoe mett with a repuls, and loss of severall men, since wch. have butt litle mischeife done. In mine June lastt gave accott. of about £488 pd. by the Treasuror for one George Vaughan for Agency, when in truth nott sentt by Governor and Councill, if he be an Agentt, wish he may shew his authority as soe, and give your Ldships. the Adress to the Queen, in wch. is onely setting forth there mindes relateing to the controversy betwene Mr. Allen and Walderen. I hope directions may be given yt. mony be nott raised of H.M. subjects for maintaining law suites under notion of Agency: for noe Agentts ever sentt, butt when case of Allen and Walderen by apeal wentt for Engd. H.E. is pleased to communicatt nothing to me from your board, haveing recd. noe lines from same, have nothing further to ad, salveing our country being on defencive partt are att greatt expence, while other Governmtts. sitt att ease, wish H.M. apointt a Vice-Roy over all thatt all Govermtts. may putt theire helping hand agtt. the publick enemy, and in case H.M. will be pleased to send and take Portt Royall and St. Jno's, will be of great service to H.M. Kingdom in promoteing of fishery, and the cole mines; there incomes thereof will contribute greatly for suportt. *Signed,* John Usher. *Endorsed,* Recd. 26th, Read 28th March, 1709. *Holograph.* 1 *p.* *Enclosed,*

260. i. Lt. Governor Usher to Governor Dudley. Aug. 30, 1708. Yours 15th recd. att 9 a.m. to repaire into ye Province, forthwith wentt and ytt. nightt did gett to Hampton and sentt for Councill to sett. 16th Councill mett. I dispatched what was proper, and pressed a sloope to make discovery of aproache enemy by sea. Being in the Province enformed Major Smith had your commistion for Justice of Peace, Councill refuseing to give him the oaths, I sentt for him and gave his oaths in Councill. I thinck wrong in them in refuseing, find they are of a levelling spiritt. I gave accott. of Major Walton's neglectt of his duty, and contemptt both in words and actions. I confined him till your further order, and leftt the charge of fourtt with Lt. Atkinson. As to Capt. Puttman with his souldiors from Musathusetts posted att Portsmoth, in case of an attack by ye enemy in any place, ytt he forthwith march to there releife. Alsoe gave orders to Col. Hilton in case of an attack, ytt. he marched with rest of Massathusett souldiors forthwith to there releife. As to Malitia of Province, had Col. Hilton, Major Smith, Capt. Phips and Capt. Coffin to consider of state of province and whatt to doe in this juncture of time. Advized to have a scoutt of 30 or 40 men for 3 days outt and every town doe there partt accordingly, and for Capt. Coffin's troope, one halfe to be on constantt duty. According gave orders. Garisons in Hampton within the line of Province refuseing to doe there duty as warding and watching, gave orders to yeild obedience and doe there duty, and Capt. Green to take care thereof. I am sorry mustt say all places secure as if in Boston, neither watching nor warding when I came there. I wentt to Kittery, in case of an attack by sea upon the fourtt, to know whatt assistance from them mightt exspectt. Answered, none, they had noe orders, judge may nott be amiss to give orders. I laid an imbargoe on all vessells to secure men for the ffourtt, ytt. lasted nott 10 days, when I came away, ordered in the morning all souldiors to apear, and apeared butt nine. For fear of an attack by sea, I did take my lodgings in the fourtt, gave directions to Treasuror provide all things necessary, butt the lodg-

ings worse then my negroes, noe provistions laid in for me, and recd. nott 1d. towards my exspence and charge, though £20 could be pd. outt of Treasury for one Pickerin to Boston. Haveing your leave to return to my family, called the Councill to know if had anything to offer for H.M. service. Answered, noe. Soe took my leave, *etc.* *Signed,* John Usher. *Holograph.* 1 *p.* [*C.O.* 5, 865. *Nos.* 13, 14; *and (without enclosure)* 5, 913. *pp.* 61-63.]

Dec 21. Whitehall. **261**. Mr. Popple to Mr. Perry. *Refers to* letters of Dec. 18. H.M.S. *Guardland* is appointed, *etc.* The Council of Trade and Plantations have commanded me to signify the same to the merchants trading to Virginia, and to desire that they will let them know when the ships designed to go with the said convoy will be ready to sail. If the said merchants shall judge it necessary to have a briganteen as is proposed by Col. Jenings, it will be proper that they make application to the Lord High Admirall, *etc.* [*C.O.* 5, 1362. *pp.* 328, 329.]

Dec. 22. **262**. [———?] to Thomas Hopkins. *Prays* for a respite in the hearing of Mr. Skene's case, referred back to the Council of Trade Sept. 20., *etc.* *Addressed.* 1 *p.* [*C.O.* 28, 38. *No.* 75.]

Dec. 23. **263**. Masters of ships to the Council of Trade and Plantations. Mr. Skeen, Secretary of Barbados, was never guilty of extortion, *etc.*, such as he is charged with. 12 *signatures.* *Endorsed,* Recd. Dec. 23, Read Jan. 3, 1708(9). 1 *p.* *Enclosed,*

263. i. Certificate by 3 of the above-mentioned masters. Mr. Skeen acted in accordance with custom and did not exact exorbitant fees, *etc.* Dec. 23, 1708. 1 *p.* [*C.O.* 28, 11. *Nos.* 44, 44.i.]

Dec. 23. Whitehall. **264**. Council of Trade and Plantations to the Queen. *Report* on Act of Nevis *for establishing Courts,* etc. (1704). *Quote* some of the objections advanced by the Attorney General, Dec. 17. *Add*:—Tho' it may be usefull and necessary to have Acts in the Plantations for regulating the proceedings of Courts, yet we look upon many of the regulations mentioned in this Act to be improper. For it provides that a summons fixed up at the Court House door shall be sufficient in the absence of the Defendant, and where he hath no Attorney, tho' such Defendant be a freeholder, whereas the summons ought in reason to be served on his freehold, whereby he may have due notice of the service. By this Law judgements may be given against absent persons on such summons so affix'd; and the Court is without jury to ascertain damages, and the Plaintiff to give security to refund, if in two years the defendant makes appear less is due than is allowed, without any regard to the defendant's being an infant, or madd, in prison, or out of the Island. The Provost Mashal is inabled on executions to sell inheritances, if the defendant has no goods, this is different from the Law of this Kingdom, which only allows the Plaintiff to hold the lands under an extent, till the debt be satisfy'd; besides the sale is made good against the Defendant, and all persons claiming by and from or under him, which will void the Defendant's acts precedent to the judgement, such judgement not being restrained to subsequent claims. This Act further provides that in all cases after the verdict the Defendant shall be barr'd from moving in arrest of judgement; which seems unreasonable: for it may be that no action at law lyes for the matter mentioned in the Plaintiff's declaration, or the words not actionable, and yet the Plaintiff having a verdict by this law must have execution. That all extraordinary contempts of jurymen and talesmen are to be punished by the judges by fine: what contempts are meant doth not appear by the Act. It may be taken to be a contempt for not finding a verdict according to the direction of the Court, for which by law they are not to be fined. If a bill of exchange be returned protested, the drawer is to pay to the person for whose use the same was drawn £10 damage, with £10 interest, and an allowance for exchange; this is a matter different from the title of the bill, nor is it reasonable in itself, the allowance of damage and interest being the same in all cases, be the summ in the bill greater or lesser. There is likewise erected by this law a perpetual Court Merchant, which is impowered to hear and determine without a jury, according to law, equity and good conscience, all causes between transcient persons not exceeding the value of £100 current money; this power is arbitrary and uncertain, whether the judges are to act according to law or equity, and is not therefore fit to be allowed. There are objections to several other clauses, etc. In case your Majesty shall think fit to disallow the said Act, we do then propose that your Majesty's Royal pleasure be signifyed to your Governor there, to recommend to the Assembly the passing of another Law *for the establishing of Courts and settling due methods for the administration of Justice* in Nevis, and in like manner to the Assemblys of the other Leeward Islands; which Acts may not be lyable to these or any other objections. And till such a law shall be past by the Legislature there, we beg leave to inform your Majesty that the course of Justice may go on, for your Majesty by your Commission to your Governor there, hath impowered him to erect Courts and name judges and other officers for the due administration of Justice.

We further humbly represent that at a General Assembly of all your Majesty's Leeward Islands held at Nevis, 1705, an Act was past *for establishing Courts* etc., the purport of which is only to make an Act past at Antego Feb. 8, 170$\frac{3}{4}$ to be in force throughout all the Leeward Islands. And whereas that Act of Antego did contain clauses to the same purpose as those aforementioned, your Majesty did think fit, Dec. 13, 1705, to repeal it, and therefore we humbly offer that the Act of Nevis, 1705, be likewise repealed. [*C.O.* 153, 10. *pp.* 255-260.]

1708.
Dec. 27.

265. Sir T. Laurence to the Council of Trade and Plantations. Refers to Governor Seymour's letter of Sept. 7, 1708. I have not overrated the receipts from the ordinary licences, as is pretended. £150 per annum at least hath been taken away from me and the Secretary's Office for five years. *etc.* Details given. *Signed,* Thomas Laurence. *Endorsed,* Recd. Read Jan. 3, 170$\frac{8}{9}$. *Holograph.* 3 *pp.* *Enclosed,*

265. i. A computation of the value of the ordinary licences in Maryland, Oct. 1703—1707. Total, 193600lb. tobacco at 5/s. the hundred. Estimated total loss to Sir T. L. =£1167. 18. 1. *Signed and endorsed as preceding.* *Holograph.* 3 *pp.* [*C.O.* 5, 716. *Nos.* 57, 57.i.]

Dec. 27.
Boston,
New
England.

266. Governor Dudley to the Council of Trade and Plantations. This morning the post from New York brought us the good news of my Lord Lovelace's arrival, and my packet from their Lordships, and a single ship being now under sayle, I thought it my duty to acquaint you that I have them safe, *etc.*, and perticularly that if there be any necessity of seeing the present state of the fortifications here, they have been carefully sent every half year to the Board of Ordnance, and will come again by the Mast fleet, there being no other safe conveyances but that, once a year. *etc.* P.S. I think it is now four year since I returned Major Smith's name with others for Councellors of New Hampshire *etc.* There is one thing happened ill to him last year, he was accused of a bastard child by a young woman, and by the Sessions was ordered to mayntayn the child, tho' he alwayes denyed the matter and is by many judged innocent, however I thought it my duty thus to acquaint you of it, his service will be very acceptable to mee, *etc.* *Signed,* J. Dudley. *Endorsed,* Recd. May 23, Read Dec. 8, 1709. *Holograph.* 2 *pp.* [*C.O.* 5, 865. *No.* 19; *and* 5, 913. *pp.* 80-82.]

Dec. 30.
St. James's.

267. Order of Queen in Council. Upon Representation of Dec. 3 (*q.v.*), Governor Crowe is to return answer to the complaints against him, with depositions on either side *etc.* *Set out,* Acts of Privy Council, II. *pp.* 575, 576. *Signed,* Edward Southwell. *Endorsed,* Recd. 9th, Read Feb. 15th, 170$\frac{8}{9}$. 2 *pp.* [*C.O.* 28, 12. *No.* 8; *and* 29, 11. *pp.* 400-402.]

Dec. 30.
St. Nicholas
Lane.

268. John Lloyd to W. Popple. *Reply to* Dec. 18, *etc.* I wrote to a particular friend, but he is unwilling to give any information. All that I can learne is, that 3 ships loaded att Carolina and took oute cleareings for Rhode Island, from whence they gott certificates to cleare their bonds att Carolina, and thence reloaded their ships, the masters names are Samuell Jones, Thomas Thatcher, and one—Pitts, all New England men. I have a ship lately arrived from Carolina, now att Portsmouth, when the master comes for London, if I can learne anything farther, shall waite on their Honours. Presume one way to stop this trade wou'd be to give power to our Consuls abroad

1708.

strictly to examine all ships from H.M. Plantations, that shall be loaded with fish, whether part of their cargoe be nott rice, logwood, pitch or tarr, which are often imported in those parts. As for Rhode Island, 'tis a place where all roguerys are committed, and greate quantitys of goods from Portugall are landed there, and so convey'd to severall parts. *Signed*, John Lloyd. *Endorsed*, Recd. 1st, Read 3rd Jan., $170\frac{8}{9}$. *Addressed*. 1 *p.* [*C O.* 5, 1264. *No.* 53; *and* 5, 1292. *p.* 72.]

Dec 30. St. James's. **269**. Order of Queen in Council. Repealing Act of Nevis *for establishing Courts*, and Act of Leeward Islands *for establishing Courts*. (*Cf.* Dec. 23.) *Signed*, Chris. Musgrave. *Endorsed*, Recd. Read Jan. 13, $170\frac{8}{9}$. $2\frac{1}{4}$ *pp.* [*C.O.* 152, 8. *No.* 3; *and* 153, 10. *pp.* 261, 262.]

Dec. 30. St. James's. **270**. Order of Queen in Council. Referring following to the Council of Trade and Plantations for their report. *Signed*, Chris. Musgrave. *Endorsed*, Recd. 5th, Read 7th Jan., $170\frac{8}{9}$. $1\frac{1}{4}$ *pp.* *Enclosed*,

270. i. Petition of Merchants and Commanders of shipps tradeing to and liveing on the Continent of North America and on the Island of Jamaica, and the distressed inhabitants of the Bahama Islands, to the Queen. *Pray* H.M. to take the Bahamas under her protection and government, and to fortify the harbour of New Providence, for securing petitioners' trade in their passage through the said Islands and the Gulph of Florida. It is threatened to be settled by the Spaniards *etc.* *Set out*, Acts of Privy Council, II. *p.* 550. 91 *signatures*. *Copy*. 5 *pp.* [*C.O.* 5, 1264. *Nos.* 54, 54.i.; *and* 5, 1292. *pp.* 75-81.]

Dec. 30. St. James's. **271**. Order of Queen in Council. Approving Major Edward Tynt as Governor of Carolina. The Council of Trade and Plantations are to take care that he give good security to observe the Acts of Trade and obey H.M. Instructions, *etc.* *Signed*, Chris. Musgrave. *Endorsed*, Recd. Read Jan. 7, $170\frac{8}{9}$. 1 *p.* [*C.O.* 5, 1264. *No.* 55; *and* 5, 1292. *pp.* 82, 83.]

Dec. 30. St. James's. **272**. Order of Queen in Council. Referring following to the Council of Trade and Plantations for their report. *Signed*, Chris. Musgrave. *Endorsed*, Recd. 5th, Read 7th Jan., $170\frac{8}{9}$. 1 *p.* *Enclosed*,

272. i. Petition of Thomas Pilgrim to the Queen. *Prays* to be restored to his estate in Barbados, which he bought of Mrs. Butler Chamberlain, and which Governor Crowe has violently seized, without any form of Law, *etc.* 1 *p.*

272. ii. Case of Thomas Pilgrim. 2 *pp.* [*C.O.* 28, 11. *Nos.* 45, 45.i.,ii.; *and* (*without enclosures*) 29, 11. *pp.* 367-369.]

Dec. 30. St. James's. **273**. Order of Queen in Council. Col. John Frere is appointed to the Council of Barbados, in place of Col. Richard Scot, dis-

1708.

missed. *Cf.* Dec. 14. *Signed*, John Povey. *Endorsed*, Recd. 15th, Read 17th Jan., 170$\frac{8}{9}$. 1½ *pp.* [*C.O.* 28, 11. *No.* 46; *and* 29, 11. *pp.* 371, 372.]

[? 1708.] **274**. Address of the Assembly of Barbados to the Queen. [*Cf. Jan* 26, 1708.] Whereas an Act was sometime since passed in this Island for allowing £500 per annum to H.M. Governour to supply the inconveniencies and defects of the habitation provided for Sir B. Granville, which your Majesty hath been pleased to repeale, we humbly represent that we were induced to pass the said law for the following reasons; (1) to show all possible regard for H.M. Governours; (2) that all former Governors had, besides convenient houses, a considerable quantity of land found them, which Sir B. Granville declined for greater advantage; (3) that the house of Pilgrim, built by Sir B. Granville at the great expence of the Island, has only about 19 acres of land belonging to it, whereas less than 150 acres is not sufficient for the convenient support of such a ffamily as your Majesty's Governours must necessarily have; (4) that the nature of this Island is such, and differs so much from the way and manner of liveing in England, that it is almost impossible to subsist a large ffamily with any conveniency without a proportionable quantity of land near the dwelling-house, and where it is done without such a conveniency, the expence is above four times as much as in England. *Pray* H.M. licence to settle £380 for the purpose aforesaid, which, with £120 rent now paid for Pilgrim's house, was the sum allowed to former Governours. *Signed*, Richd. Downes, Speaker, Tho. Maxwell, Tho. Beckles, Wm. Leslie, Edmund Sutton, James Vaughan, Tho. Maycock, Wm. Grant, Wm. Roberts, Thomas Neale, Hen. Peers, Rob. Yeamans, Will. Terrill, John Bowman, Richd. Sandiford. 1 *p.* [*C.O.* 28, 38. *No.* 69.]

[? 1708.] **275**. Instructions concerning Prizes by the Governor [? *of Barbados*]. [*C.O.* 319, 1. *pp.* 33. *ff.*]

1700, 1708. **276**. Laws of Barbados. [319, 1. *pp.* 201-240.]

[1708 ff.] **277**. Shipping returns and List of negroes imported Barbados, 1708—1726. [*C.O.* 33, 15.]

[1708 ff.] **278**. Abstracts of Letters from Governors of Jamaica, 1708—1719. [*C.O.* 137, 41.]

[? 1708-9.] **279**. Report [? of a Committee of Assembly of Jamaica to the Governor of Jamaica] upon the petitions of Nicholas Gualtier and Thomas Abell Bassett. In Jan., 1708 Mr. Gualtier on board the brigantine *St. Nicholas* was taken by H.M.S. *Roebuck*, which was condemned at Port Royal, about which an appeal is now depending. He appears to be a Frenchman and in the interest of the French King and has abused the trust reposed in him by the States General, and ought therefore to be sent

1708

to Great Britain, and not to be allowed to go to Curaçoa according to his petition. With respect to Mr. Bassett, we know nothing except his commanding this snow, *etc.*, and think he may be a naturalised subject of Holland, and be allowed to go where he desires, *etc.* $2\frac{1}{2}$ *pp.* [*C.O.* 137, 51. *No.* 7.]

1709.

Jan.-June.

280. Permits for 24 ships to sail without convoy and not to be embargoed in the West Indies. [*C.O.* 5, 210. *pp.* 126, 127, 131, 132, 134, 142, 152.]

Jan. 1st. (N.S.) Rio Essequebo. Fort Kykoveral.

281. P. Vanderheyden Reze to the Directors of the Dutch West India Company. *Signed*, Pr. Vanderheyden Reze. *Endorsed*, Read May 28 (N.S.), 1709. *Dutch.* 39 *pp.* *Enclosed*,

281. i. Same to same. Jan. 17 (N.S.)

281. ii.-lv. Copies of letters, inventories, accounts *etc.* 1707 *ff.* *Dutch.* [*C.O.* 116, 20. *Nos.* 15, 15.i.-lv.]

Jan. 4. Whitehall.

282. Mr. Popple to Mr. Thurston. Major Lloyd (Oct. 22, 1708), having transmitted to you an account of the men listed by him in Newfoundland, the Council of Trade and Plantations desire a copy as soon as possible. [*C.O.* 194, 4. *p.* 70.]

Jan. 4. Custom-house, Sandwich.

283. Custom-house Officers, Sandwich, to Mr. Popple. Enclose following. *Signed*, Jeff. Haford, Benj. Fisher. *Endorsed*, Recd. Read Jan. 19, 170$\frac{8}{9}$. *Addressed. Postmark.* $\frac{1}{2}$ *p.* *Enclosed*,

283. i. Masters of Fishing ships and by-boats trading from this Port and members to Newfoundland, Dec. 25, 1707—1708,=Nil. *Signed as preceding.* $\frac{1}{4}$ *p.* [*C.O.* 194, 4. *Nos.* 81, 81.i.; *and* (*without enclosure*) 195, 5. *pp.* 75, 76.]

Jan. 5. Whitehall.

284. Council of Trade and Plantations to the Earl of Sunderland. *Quote* Mr. Lloyd [Dec. 30, 1708] on illegal trade between Carolina and Portugal. This trade being contrary to the Act of Parliament *for granting a further subsidy on wines, etc.*, by which rice is declared one of the enumerated commodities, and therefore not to be exported from the Plantations to any place in Europe but to Great Britain or Ireland, we are of opinion that H.M. pleasure be signify'd to Col. Dudley that he make enquiry into this matter, and prosecute the offenders, if there be sufficient proof, for the merchants at Oporto being themselves concerned, are unwilling to give the necessary information therein. We are apprehensive such illegal trade will hardly be prevented unless a power be given to H.M. Consul in Portugal to examine all ships coming from the Plantations, and to seize such ships as shall bring any of the prohibited commodities in breach of the Acts of Trade and Navigation. [*C.O.* 5, 1292. *pp.* 73, 74.]

1709.

Jan. 7. Whitehall. **285**. Council of Trade and Plantations to the Queen. *Report* upon the Boundary disputes between Carolina and Virginia. *Propose* that a Commission be appointed on the part of each Government, and that the old method of granting lands be resumed in Virginia, according to the Charter, notwithstanding the late Instruction (1705, 1707.) *Set out, Acts of Privy Council,* II. *pp.* 584-588. *q.v.* [*C.O.* 5, 1362. *pp.* 329-335.]

Jan 8. Whitehall. **286**. W. Popple to Thomas Pilgrim. The Council of Trade and Plantations desire to speake with you and Mr. Fullerton on Thursday, when they do expect that you should bring with you such proofs as you may have to make good the allegations in your petition, *etc.* [Dec. 30, 1708.] [*C.O.* 29, 11. *p.* 370.]

Jan. 8. St. James's. **287**. H.M. Warrant for John Frere to be one of the Council at Barbados. [*C.O.* 5, 210. *p.* 136.]

Jan. 9. St. James's. **288**. Order of Queen in Council. The Council of Trade and Plantations are to consider what stores are necessary for Newfoundland *etc. Set out,* A.P.C. II., *No.* 1078. *q.v. Signed,* Edward Southwell. *Endorsed,* Recd. 12th, Read 13th Jan., $170\frac{8}{9}$. $\frac{3}{4}$ *p. Enclosed,*

288. i. Mr. Burchett to the Clerk of the Council in Wayting, The convoy for Newfoundland being now getting ready, I acquaint you therewith to the end my Lord High Admirall may receive an Order of Councill for sending provisions, *etc. Copy.* 1 *p.* [*C.O.* 194, 4. *Nos.* 79, 79.i.; *and* 195, 5. *pp.* 70, 71.]

Jan. 9. St. James's. **289**. Order of Queen in Council. Referring following to the Council of Trade and Plantations. *Signed,* Edward Southwell. *Endorsed,* Recd. Read Jan. 13, $170\frac{8}{9}$. Dismist by an Order of Jan. 27. $\frac{1}{2}$ *p. Enclosed,*

289. i. Petition of Charles, Lord Baltimore to the Queen. *Prays* that the Order of Nov. 7, 1685 may be revoked, having been surreptitiously got by William Penn, falsely suggesting that petitioner by his grant was to have noe land but what was cultivated by savages. *Prays that* the boundaries of Maryland and Pennsylvania may be ascertain'd pursuant to H.M. letter of April 2, 1681. *Signed,* C. Baltemore. *Copy.* 3 *pp.*

289. ii. Duplicate of H.M. Letter to Lord Baltimore, April 2, 1681. C.S.P. 1681. *No.* 62.

289. iii. Duplicate of Letter from Wm. Penn to Lord Baltimore, April 2, 1681. C.S.P. Feb. 5, 1708. [*C.O.* 5, 716. *Nos.* 59, 59.i.-iii.; *and* (*Order only*) 5, 720. *No.* 2.]

Jan. 10. Maryland. **290**. Governor Seymour to the Council of Trade and Plantations. On Sept. 27 last the Generall Assembly mett and pursuant to H.M. commands I laid before them H.M. Order in Councill, expressing her disassent to the two Laws lately

1709.

pass'd here concerning tobacco hhds., and H.M. commands to reenact a Law for the guage of hhds. conformable to those in Virginia; also H.M. commands in favour of Sir T. Laurence; and likewise proposed a Law to be made to punish such persons who should maliciously invent and disperse false news of transactions in Europe tending to the discouraging and dispiritting H.M good subjects here, with severall other things H.M. Councill and myself thought proper for H.M. service and the good of the countrey; but not being able to win their complyance to any the least of H.M. just and reasonable commands, and finding that instead thereof they disputed what they had no cognizance of, vizt. the legality of a charter I granted to the Citty of Annapolis (by the advice of H.M. Councill) and ran into heats and divisions, proceeding so irregularly that notwithstanding a Commission prepared to swear them, and four Gentm. of the Councill ready to attend them in order thereto, they had made severall votes, and adjourn'd their house, resolv'd to acquaint them they were dissolv'd; and accordingly issued new writts of election returnable to Nov. 29, hoping the severall Countys would take better care who they sent to represent them, but contrary to expectation found the most of the persons, return'd to the last convention, appear as Delegates of this Assembly, so that there could be but little hopes, unless a more moderate Speaker were chosen, which being happily effected, I once more laid H.M. commands before them, tho' I am sorry to acquaint your Lordships without any success. But tho' they would not agree to the Law proposed for the guage of tobacco hhds., yet have humbly addrest H.M. to give leave to lay their reasons before her why they could not, which will be transmitted to your Lordships with the Journalls of the Assembly and Councill so soon as transcribed; notwithstanding which I am humbly of opinion it would be to the generall advantage of trade a small Act of Parliament were made in Great Brittaine to ascertain the guage of the same size both in Virginia and Maryland, that the merchants may know how to build their shipps for stowage suitable to either country. As to H.M. commands in favour of Sir T. Laurence, altho' the Councill and myself used our utmost endeavours to persuade their complyance, wee could not percieve the least inclination in the Delegates thereto; but on the contrary have addrest H.M. in opposition to Sir Thomas's claime, in which I advised the Councill not to agree with them, so that I have not any reason to alter my opinion, which I heretofore presumed to offer to your Lordships, that it would be adviseable Sir T. Laurence should procure the fines of the ordnary lycences to be setled on his office by an Act of Parliament or some other legall power in Great Brittaine; for let me do what I can to enforce H.M. commands on the Country, he seems to be the last person they are willing to oblige, for on my proposall they should make an ordnance to leavy those Fines to lye in the Sherriffs' hands and be left to H.M. gracious disposall, they would not concurr least Sir T. Laurence should obtaine her favour therein. The As-

1709.

sembly have referr'd untill the next Sessions the making a necessary and reasonable provision to supporte and enable the four Justices of the Provinciall Court to hold their Courts, and go the circuits twice yearly; and tho the reduceing the number of the Provinciall Justices seems to grate on some whose integrity and understanding allow them noe title thereto, and yet are desireous to be eminently distinguished from their neighbours, yet in generall and especially the people on the Eastern shoare, seem to be much obliged with this institution. The Assembly sate untill Dec. 17, and made severall laws, amongst the rest, revived those for the supporte of the Government, and being sencible of the continuall desertion of many of the inhabitants, whose misfortunes with the lowe vallue of tobacco in Europe, and losses by the enemy this last warr, gave them great dread of long and tedious imprisonment, have made an Act of Bankruptcy for the enlargement of the persons of such debtors who shall deliver up to their creditors all their estates, reall and personall, and that concealments in such case shall be Felony. They also made an Act to lessen the dammage on protested Bills of Exchange, making it only 10 p.c., whereas it was 20. And tho' the merchants may not approove thereof, yet since it is manifest the too much creditt given the people of this Province, being a careless unthinking sort of folke, has helpt to bring them into their present ill circumstances, the methods now propos'd will not only be a means to encourage the planters to abide on their plantations, but prevent their having too large a creditt, which is only in summe, but not in intrinsick vallue of the comodity, and generally falls heavy at the last by the many protests of their bills. On the 17th inst. by way of New Yorke have receiv'd severall duplicates of letters from your Honoble. Board *enumerated*, and letters of May 14, July 13, Aug. 4, 1708. There are not in this Province any stores of arms and ammunition sent from H.M. Office of Ordnance. As for your Lordships' letter of March 26, 1707, you referr me to in yours of Sept. 2, I have neither received the originall or duplicate thereof, so am wholly at a loss what answer to make thereto. Since my last another Gentleman of H.M. Councill is dead, vizt. Mr. Kenchin Cheseldyne, which will lay me under a necessity of swearing another in his roome, Coll. Jenkins being so aged and at so remote a distance, and Col. Ennalls so often indisposed that they are seldom able to attend their dutys. When the Journalls of the Councill and Assembly are transcribed, I shall endeavour to give your Lordships a true light, how the Delegates are chosen, and influenced by the Roman Catholique party, whose cheife aime is to make everybody uneasy, who are willing to serve the Queen and Government, and doubt not but they will use their utmost efforts to put another gloss on their actions here, but as I have ever endeavoured to discharge my duty, faithfully, I shall while I have the honour to be abroade do what in me lyes to serve the Queen like an honest servant, and to obey your Lordships' commands with

1709.

all integrity and dilligence. *Signed*, Jo. Seymour. *Duplicate. Endorsed*, Recd. May 11th, Read Dec. 6, 1709. 6 *pp.* [*C.O.* 5, 716. *No.* 68; *and* 5, 727. *pp.* 143-149.]

Jan. 11. Whitehall. **291**. Council of Trade and Plantations to the Lords Proprietors of the Bahama Islands. Give notice that parties will be heard on 28th Jan. to the petition of the merchants *etc.* for the resumption of the Islands to the Crown. (*v.* Dec. 30, 1708). [*C.O.* 5, 1292. *pp.* 83, 84.]

Jan. 12. Whitehall. **292**. Council of Trade and Plantations to Governor Dudley. *Acknowledge* letters of May 27, June 10, July 10, and Aug. 7, 1708. We are sensible of your care in endeavouring to promote the production of Naval Stores, and you will do well to continue to do your utmost therein; when the Act which you mentioned to be past in New Hampshire shall be transmitted to us in due form, we will consider the same. In the meantime we cannot but take notice of the proceedings of the Assembly of the Massachusetts Bay in refusing to pass a law to the same purpose. Their assertion that the clause in the Massachusetts Charter relating to masts is not binding to them, are groundless, for if that Charter do bind, and is as a law to H.M. in relation to their rights and priviledges, it does also bind and is as a law to the inhabitants of that Colony; this you will do well to communicate to the Assembly, and also to inform them that their refusal to pass such an Act, considering what priviledges has been allowed them by the Crown, will be looked upon as a great disrespect to H.M., and a disregard to the interest and service of this Kingdom. However, we commend your zeal in this matter, and desire you to continue your further endeavours therein. We shall lay before H.M. what you write in relation to Mr. Waldron, Hilton, and Smith, and propose others to supply their places in the Council of New Hampshire. We are glad to perceive the enemy has made so little impression upon your frontiers, and we hope that your care and diligence will effectually prevent their doing anything of moment. We have laid before H.M. our opinion in relation to stores of war *etc.* wanting for the security of New Hampshire, and that matter is in a way of being dispatched. Since the writing of what is above, we have received two letters of Oct. 1st and 10th, which we shall make use of as there shall be occasion; We take notice that you say the Assembly of the Massachusets Bay have, by an Act passed about three years ago, laid a duty of £4 per head on negroes, you ought to have acquainted us with the year the said Act was passed in, and have given us the title of the Act, for we can find none such among those we have; and therefore we expect that you transmit it to us by the first opportunity. One of the reasons you give why negroes are not desired in New England, is because it being on the Continent, the negroes have thereby an opportunity of running away: the same reason will hold in Carolina, Virginia and Maryland, which are also upon the Continent, where negroes are so valuable. [*C.O.* 5, 913. *pp.* 44-46.]

1709.
[Jan. 12.] **293**. The case of James, Duke of York, against Lord Baltimore, relating to the bounds of Maryland and Pennsylvania. The land claimed by him was purchased and seated by authority of a sovereign and Christian State of Europe many years before the date of his patent. *Historical summary* 1609—1674, when the King gave all to the Duke, who kept New York and disposed of the Jerseys and Pennsylvania. *Endorsed*, Recd. Read Jan. 12, 170$\frac{8}{9}$. Reced. from Mr. Penn. 1½ *pp.* [*C.O.* 5, 1264. *No.* 56.]

Jan. 12.
Whitehall. **294**. Council of Trade and Plantations to the Earl of Sunderland. There being several Representations which we sent to your Lordship, upon which we have not yet been informed of H.M. pleasure; and whereas we are in expectation of being called upon by the Parliamt. for an account of our proceedings since our last Report, Nov. 1707, and that it will be necessary that we give an account of what has been done upon our said Representations, that our Report may be the more perfect, we desire your Lordship will please to give directions that we may be informed thereof. *Annexed*,

294. i. List of Representations referred to in preceding:—Dec. 4 and 19, 1707; June 23, July 19, Oct. 26, Nov. 9, Dec. 3 and 6, 1708. [*C.O.* 324, 9. *pp.* 290-292.]

Jan. 12.
Whitehall. **295**. Council of Trade and Plantations to Col. Jenings. We have received yours of June 24 and Sept. 20, 1708. We have transmitted what you write about a guardship to the Lord High Admiral, and have been informed by his Lordship that the *Garland* is appointed for that service and is accordingly preparing to sail to your Government. We likewise acquainted the merchants with our proceedings therein, that they might sollicit at the Admiralty the appointing a sloop for the service you desire. As to the incroachments made by the Government of Carolina upon the boundaries of Virginia, we have considered the same and laid before H.M. our opinion thereupon. But we must acquaint you that you wou'd have done well to have given us an estimate of the charge and ye method and manner you propose of settling the boundaries between the two Provinces, which wou'd have enabled us to have been more exact in what we have proposed. However we hope this matter is now in a way of being soon determined. We have laid before H.M. what you write in relation to the Indian condemned for a murder in Kent County, and when H.M. pleasure shall be declared, we shall not fail of giving you notice thereof. In the mean time that Indian's case being as you have stated, you will do well to suspend his execution till further order. We have communicated to the Lords Proprietors of Carolina what you writ in relation to the goods seized by that Government from the Virginia Indian traders, and the said Proprietors have promised us an answer thereunto, which, when we receive, we shall communicate unto you. Whatever their answer be, we shall be glad to know what the Governor of Carolina writes

to you upon that head. We are glad you have received H.M. Instructions impowering you to act as Lt. Governor during the absence of a Governor, and we will not doubt but you will take such care that all things will be managed to the best advantage of the Colony and for H.M. service. Though the letters you mention to have received were directed to Col. Hunter, yet you being in his absence Commander in Cheif, ought to answer the same, and therefore we shall expect it from you. We doubt not but the money raised for building a house for H.M. Governor has been so prudently laid out that the Assembly will readily comply with your desire of giving a further supply for the finishing of that work. We have reason to beleive that the incouragement given by H.M. and the Parliament here to the tobacco trade (of which you will have received accounts from the merchants) will have a good effect. However, if anything occurr to your thoughts that may further promote the said trade, you will do well to communicate the same to us. Upon this occasion we think it necessary to recommend to you that you discourage the inhabitants as much as possible from applying themselvs to the linnen and woollen manufactures, which we hope they will not need to do, when they come to be regularly supplyed with those commodities by the merchants from hence, who have inform'd us that in August, 1707, they had shipp'd to the value of £200,000 in cloathing and other necessaries, but that fleet, being detained here till March following, did occasion a great want and scarcity in Virginia. This evill we hope will be remedyed for the future. The liberty given for the importation of tobacco from this Kingdom to France on board neutral vessells, and that H.M. Navy be supplyed with tobacco bought here are considerable advantages, and the planters will find the benefit thereof. We are glad the difference with the Tuscaruro Indians is in a fair way of accomodation, as also that the nation of Saponees are returned to your Government. You have done well to grant them lands. We doubt not but the good treatment they will meet with from you will incline them to stay and to be of service in case of need. Notwithstanding the reasons you say the Councill give for not calling the Assembly, yet whenever the service of the country does require their meeting, you ought not to delay the calling of an Assembly in expectation of the Governor's arrival, which is uncertain, especially in the case of the present Governor, who is still a prisoner in France. We expect the account of quit-rents and 2/- per hogshd. you promised us, and shall do what in us lies that the fleet from hence may arrive with you in the fall in order to return here in the spring, but we fear it will be difficult to bring the merchants here to be of one mind in this matter. However, we shall do on our part what we think most for H.M. interest and the service of that Colony. [*C.O.* 5, 1362. *pp.* 336-340.]

Jan. 12.
Whitehall.

296. Council of Trade and Plantations to Governor Seymour. *Acknowledge* letter of June 23, Aug. 16, and Sept. 7 and 10.

1709.

Refer to representation Dec. 20. We are glad to find the Province in so good a condition, and that the people increase, and we hope by this time what you write of the inhabitants removing to Pensylvania and Carolina is remedied, by reason that the Act passed here, for settling the rates of foreign coines, will have put all the Plantations upon the same foot, in regard to the value of coine, so that there will not be the same incouragement to remove as formerly. If it be necessary that an Act of Bankruptcie be past, you will do well to recommend the passing of such a Law to the Assembly. We hope that the Act which directs that every servant upon his freedom shall have gun *etc.* provided him by his Master, will, if duly observed, in a little time arm all the inhabitants, so that the Militia may be in a good condition. Your care in preventing illegal trade is very commendable, and your proposal for that purpose has been sent to the Commissioners of H.M. Customs, from whom you will receive directions. We are glad to find the inhabitants of Maryland do not apply themselves to manufactures, which ought to be imported from this Kingdom; and we doubt not but they will be supply'd therewith from hence, that they will not need to turn their thoughts to anything but the culture of tobaccos. We have not received the accounts of publick arms you mention, and therefore you will do well to send them by the first opportunity: however we are glad to perceive by your letters that the stores are in so good a condition. 'Tis well the country is at last releived from the trouble occasioned by Clark, and that he has been brought to condign punishment. We have considered the Law for encouragement of learning *etc.* past in Sept. 1694, and find that the last clause, "that no person having H.M. Commission to execute any office judicial within this Province, shall be obliged actually to inhabit within this Province, and exercise the same in his proper person, and not by any Deputy" *etc.*, is so penned that it cannot be easily understood, and therefore we think it necessary that the intention of the Law be better explained in that particular, which may be by allowing the patentees in express terms a power to execute their respective offices by their deputy or deputies. Since the new regulation of the Courts has given such satisfaction, and since it appears to be of public advantage, the dislike of a few persons to it, ought not to be regarded. You say you have not received our letter of March 6, 170$\frac{7}{8}$, we suppose you mean our letter of March 26, 1707, and therefore we send you a copy, for we did not write any of the 6th. As to the Act past in Carolina for encouraging the settlement of that Country, whereof you complain; H.M. has been pleased, upon our Representation, to repeal the same; a copy of H.M. Order in Council is inclosed. But we must inform you that the Proprietors here say, no such Act has been transmitted to them, nor do they know of any such. But if any Act to the like effect be made, they will take care the same shall be repealed. Your reason for sending the list of Roman Catholicks in your Government is good, and we commend your care therein. We have sent to the Lord High Admiral what you write in relation to Commodore Huntington's not giving you timely notice of the sailing of the Fleet: that matter will be inquired into, and we doubt not otherwise regulated for the future. We send you here inclosed some objections that have been made to the Act requiring the Agents of the Lord Baltimore to certify into the Secretary's Office the Instructions and conditions of Plantations, with the fees by them demanded, and obliging his Lordship's Deputy Surveyors to qualify themselves according to law, and desire you to communicate the same to the Councill, that we may have your and their observations thereupon, and that you inform us by the first opportunity of the reasons for passing that Law. As to the Act giving power to the farmers of the Lord Baltimore's rents to recover the arrear thereof after expiration of their lease, H.M. has thought fit to repeal the same, it being grounded upon two mistakes in law *quoted.* (*Cf.* Feb. 20, June 7, Nov. 23, 1708). We have communicated to Sir T. Laurence what you write in relation to his affair, as also the account you have transmitted of the Ordinary licences; and Sir Thomas having thereupon made some remarks, we transmit to you copies thereof, for your observation thereon, which you are to dispatch to us by the first conveyance. [*C.O.* 5, 727. *pp.* 110-117.]

Jan. 13.
St. James's.
297. Order of Queen in Council. The Council of Trade and Plantations are to propose to the Proprietors of Carolina a Boundary Commission *etc.*, as suggested Jan. 7. *q.v.* Lands to be granted in Virginia as then proposed. *Set out,* A.P.C.,II., *p.* 588. *Signed,* Edward Southwell. *Endorsed,* Recd. 21st, Read 24th Jan., 170$\frac{8}{9}$. 6$\frac{1}{2}$ *pp.* [*C.O.* 5, 1316. *No.* 11; *and* 5, 1362. *pp.* 341-349.]

Jan. 13.
Whitehall.
298. Wm. Popple to Wm. Penn. The Council of Trade and Plantations desire to speak with you concerning Lord Baltemore's petition at 10 of the clock on Monday morning next. [*C.O.* 5, 1292. *p.* 85.]

Jan. 17.
St. James's.
299. H.M. Warrant for John Pilgrim to be one of the Council of Barbadoes. [*C.O.* 5, 210. *p.* 126.]

[Jan. 17.]
300. Mr. Thurston to the Council of Trade and Plantations. Estimate of necessaries for the Company at Newfoundland, 1709. *etc.* *Cf.* Jan. 19, 27. *Signed,* J. Thurston. *Endorsed,* Recd. Read Jan. 17, 170$\frac{8}{9}$. 1 *p.* [*C.O.* 194, 4. *No.* 80; *and* 195, 5. *p.* 72.]

Jan. 17.
London.
301. Mr. Dummer to Mr. Popple. Gives sailings of the *Frankland* packet-boat. Out and Home 112 days. She was stopt at some of the Islands longer than her stated time by order of the Governours. The *Cotton* packet-boat, which should have been here the middle of December, has met with desertion of her men, and great sickness among the rest, and north winds

1709.

between the Capes, by which meanes she lost her passage thro' the Bahamas and put back to Jamaica, after having been supplied with 4 French seamen by Governor Handaside proceeded again; but was overtaken by the *Frankland* on this side the Windward Passage within hopes of her being at home in a few days. Great complaints come from those parts against the late Act of Parliament for privateers, which tends to ye ruine of all trade with the Spanish West Indies, disabling the men of warr and merchant ships of seamen now; and when Peace shall come, leave to the world a brood of pyrates to infest it, *etc.* *Signed,* E. Dummer. *Endorsed,* Recd. 17th, Read 19th Jan., 170$\frac{8}{9}$. *Addressed.* 1 *p.* [*C.O.* 323, 6. *No.* 74.]

Jan. 18. **302.** Sir John Cooke and Wm. Farmer to the Council of Trade and Plantations. I beg the favour of the first vacancy that happens in Barbadoes, that you will make Francis Bond one of the Councill there, *etc.* P.S. He has a very good estate in the Island. *Signed,* J. Cooke, Wm. Farmer. *Endorsed,* Recd. 18th Jan., Read 2nd March, 170$\frac{8}{9}$. 1 *p.* *Enclosed,*

302. i. Certificate of Merchants trading to Barbados in favour of Francis Bond, a native of Barbados. Jan. 16, 170$\frac{8}{9}$. 8 *signatures.* 1 *p.* [*C.O.* 28, 12. *Nos.* 16, 16.i.]

Jan. 18. **303.** Petty Expenses of the Board of Trade, Michaelmas to Christmas, 1708. *See* Journal of Council under date. $3\frac{1}{2}$ *pp.* [*C.O.* 388, 76. *Nos.* 45-47.]

Jan. 18. Whitehall. **304.** Council of Trade and Plantations to the Lord High Treasurer. Enclose above accounts, and request for payment of a quarter's salaries due to the Secretary and under-officers. [*C.O.* 389, 36. *pp.* 374-376.]

[Jan. 18.] **305.** Peter Diharce, Merchant of London, to the Queen. Prays, in behalf of Gabriel Bouvy, of Bilboa, permission to load beef in Ireland in a Spanish ship, for the Spanish Plantations in the West Indies, and to return thence to Spain with goods not contraband. *Signed,* P. Diharce. *Endorsed,* Recd. Read Jan. 24, 170$\frac{8}{9}$. 1 *p.* *Annexed,*

305. i. H.M. refers *above* to the Council of Trade and Plantations for their report. Jan. 18, Whitehall. *Signed,* Sunderland. [*C.O.* 388, 11. *No.* 105; *and* 389, 20. *p.* 273.]

Jan. 18. Office of Ordnance. **306.** Board of Ordnance to the Council of Trade and Plantations. Desire a copy of Col. Romer's report upon Ordnance stores remaining in Fort William and Mary, New Hampshire, 1707. *Signed,* C. Musgrave, Wm. Bridges, Robt. Lowther, Tho. Erle. *Endorsed,* Recd. Read Jan. 18, 170$\frac{8}{9}$. 1 *p.* [*C.O.* 5, 865. *No.* 10; *and* 5, 913. *p.* 47.]

Jan. 19. Whitehall. **307.** Council of Trade and Plantations to the Board of Ordnance. Enclose copy of report desired in preceding. [*C.O.* 5, 913. *p.* 48.]

1709.
Jan. 19.
Whitehall.

308. Council of Trade and Plantations to the Queen. Thomas Pilgrim has not made good the allegations of his petition [Dec. 30, 1708], it appearing that the Marshall of Barbadoes only levyed on the estate in question by virtue of a decree obtained in the Court of Chancery for the arrears of the jointure of the Lady Chamberlain, now wife of the Governour. [*C.O.* 29, 11. *pp.* 372, 373.]

Jan. 19.
Whitehall.

309. Council of Trade and Plantations to the Queen. Recommendation of necessaries *etc.* for Newfoundland, as ordered Jan. 27. *Cf.* A.P.C.,II. *No.* 1078. [*C.O.* 195, 5. *pp.* 72-75.]

Jan. 19.
Whitehall.

310. Wm. Popple to Wm. Lowndes. *Encloses* draught of a bond for sureties on behalf of Major Tynt. (Dec. 30, 1708) for the Lord High Treasurer's approval. *Enclosed*,

310. i. Draught of a bond in £2000 for sureties proposed by Major Tynt for his observing the Acts of Trade *etc.* in the Government of Carolina. [*C.O.* 5, 1292. *pp.* 85-89.]

Jan. 19.
Whitehall.

311. Council of Trade and Plantations to Governor Parke. Since our letter of Dec. 24, we have received none from you, and have therefore only to acquaint you that H.M. has been pleased to repeal the Acts for establishing Courts *etc.* (Order of Dec. 30), which you are to cause to be published and entred in the Councill books as usual, and that you may get a law passed that shall not be lyable to the like objections, as those for which these Acts have been repealed. *Enclose* Representation. [*C.O.* 153, 10. *pp.* 266, 267.]

Jan. 19.
London.

312. Mr. Dummer to Mr. Popple. Gives sailings of the *Cotton* packet-boat (*See* Jan. 17). Out and home, 162 days. *Signed*, E. Dummer. *Endorsed*, Recd. Read Jan. 20, 170$\frac{8}{9}$. $\frac{3}{4}$ *p.* [*C.O.* 323, 6. *No.* 75.]

Jan. 20.
Whitehall.

313. Council of Trade and Plantations to the Earl of Sunderland. Enclose Address from St. Kitts in favour of Col. Parke. [*C.O.* 153, 10. *pp.* 273, 274.]

Jan. 20.
Whitehall.

314. Council of Trade and Plantations to the Earl of Sunderland. Enclose copy of Major Lloyd's letter, Nov. 15, 1708, with account of the French force at Placentia. [*C.O.* 195, 5. *p.* 78.]

Jan. 20.
St. James's.

315. H.M. Warrant for Philip Lynes to be of the Council in Maryland. *Countersigned*, Sunderland. [*C.O.* 5, 210. *p.* 129.]

Jan. 20.

316. Order of House of Commons. The Commrs. of Trade are to lay before this House a state of the African trade, and their observations thereupon. *Signed*, Paul Jodrell. Cl. Dom. Com. [*C.O.* 388, 11. *No.* 104.]

1709.
Jan. 21.
Whitehall.

317. Council of Trade and Plantations to the Earl of Sunderland. *Refer to* Representation of Dec. 3, 1708, as to the suspension of Messrs. Sharpe, Walker and Beresford, and to letter of Major Jno. Pilgrim, Nov. 2, 1708, relating to Governor Crowe's having sworn Messrs. Berwick and Aynsworth into the Council of Barbados. By our list it appears there were at least 6 Counsellors residing in that Island at the time of the said suspension; so that Mr. Crow was impowred to have sworn in but one person at most, for by his Commission, which authorises him to fill up vacancies that may happen in Council, he is allowed to fill up such vacancies to the number of seven and no more, which Councillors are to continue till H.M. pleasure be known. And we must further observe to your Lordship, that we have not yet received any account from the Governor of his having suspended the foresaid Councillors, notwithstanding he is directed by his Instructions, upon his suspending of any Counsillors to cause his reasons for so doing, together with the charges and proofs against the said persons and their answers thereunto (unless he had some extraordinary reason to the contrary) to be duly entred upon the Councill Books, and to transmit the same to us by the first conveyance. [*C.O.* 29, 11. *pp.* 381-383.]

Jan. 22.

318. Deposition of Dudley Woodbridge, one of the Justices of the Court of Oyer and Terminer, Barbados, 1705, that A. Skeen was then farely and legally acquitted. *Signed,* Dudley Woodbridge. *Endorsed,* Recd. Read Feb. 14, $170\frac{8}{9}$. 1 *p.* [*C.O.* 28, 12. *No.* 6.]

Jan. 22.
St. James's.

319. H.M. Warrants for Joseph Estridge, John Willet, and John Peters to be of the Council of St. Kitts. [*C.O.* 5, 210. *p.* 130.]

Jan. 22.
St. James's.

320. The Queen to Governor Crowe. You are to give an immediate answer to the complaints of Messrs. Sharpe, Walker and Beresford, *etc. as* Dec. 30, 1708. *q.v. Countersigned,* Sunderland. *Endorsed,* Recd. Read Feb. 23, $170\frac{8}{9}$. 2 *pp.* [*C.O.* 28, 12. *No.* 9; *and* 29, 11. *pp.* 416-418; *and* 5, 210. *pp.* 127-129.]

Jan. 24.
London.

321. Deposition of Owners of estates of Barbados in favour of A. Skene. *Signed,* Rober[*t*] Havers, J. Bromley, John Walter, Benj. Alleyne, Richd. Steele, Pat. Mein, Ro. Stewart, Rowld. Tryon, Dudley Woodbridge, Robt. Moore, Robt. Chester, Tho. Forster, Will Tryon, Thomas Pindar, Edwd. Lascelles. *Endorsed,* Recd. Read Feb. 14, $170\frac{8}{9}$. 1 *p.* [*C.O.* 28, 12. *No.* 7.]

Jan. 24.
Admiralty
Office.

322. J. Burchett to Mr. Popple. Encloses Capt. Huntin[*g*]ton's reply (*Cf.* Dec. 18, 1708). *Signed,* J. Burchett. *Endorsed,* Recd. 25th, Read 27th Jan., $170\frac{8}{9}$. *Addressed.* 1 *p.* *Enclosed,*

1709.

322. i. Capt. Huntinton to Mr. Burchett. H.M.S. *Guernsey* in the Downs, Jan. 21, 170$\frac{8}{9}$. I wrote to the Governor of Maryland, July 20 and Aug. 24, and should have writ to him sooner, had I had the benefitt of a tender allowed by the country, as Capt. Stewart had, which I could hardly be allowed to take my powder in for 8 or 10 days, while I shifted my foremast, the old one being made unserviceable by a clap of thunder, and although the time limited by H.R.H. was not longer than Sept. 2, by there request and to oblidge the Trade, stay'd till Oct. 4. *Signed,* Jno. Huntinton. *Copy.* 1 *p.*

322. ii. Capt. Huntinton to Governor Seymour. July 20, 1708. My time will be expired Sept. 2, and do design to saile Sept. 5. I desire all masters of ships now in the Bay would be in readyness, *etc.* *Signed,* Jno. Huntinton. *Copy.* 1 *p.*

322. iii. Same to same. Aug. 24, 1708. I am sorry that through any mistake I should be thought to forgett my friends, *etc.* I assure you that this is my third, the first dated a month since, the last inclosed in a letter to the Captain of the *Bristoll,* which without doubt must have come to hand were not the messengers in those parts very negligent, *etc.* I was in hopes the President of Virginia had given you an earlier account than this, resolving to saile Sept. 15. *etc.* *Signed,* Jno. Huntinton. *Copy.* 1 *p.* [*C.O.* 5, 716. *Nos.* 61, 61.i.-iii.; *and* (*without enclosures*) 5, 727, *p.* 119.]

Jan. 24. New London. **323.** Governor and Council of Connecticut to the Council of Trade and Plantations. Your Lordships' letter of May 7th, 1707, we recd. not till July 8th last, immediately upon wch. H.M pleasure for proclaiming that Union was duely attended; and such farther steps taken as were necessary for our rendring ye account required. (1). As to the method used in ye administration of Government and Justice, there is no considerable variation from ye account we formerly gave, July 15, 1680. We have two Genell. Courts, wch. are held on ye 2nd Thursdays of May and October, according to ye time fixed for them in our Charter, consisting of our Governor, D. Govr., Assistants and Representatives from ye severall towns in ye Colony; in wch. Courts such locall Laws as are found needfull are made, and such taxes as are necessary for defraying ye publique charges are granted. There are 2 Superiour Courts held annually for the triall of capital offenders, and for the hearing of appealls. There are also 2 Inferiour Courts held annually in the severall counties in this Colony, which are four in number, in wch. are tried actions in debt, trespass, and of the case, and criminall causses, wch. are not capitall, with liberty of appealls from these to the Superiour Courts. The method observed in the proceedings of these Courts is, (a). The Plaintiff takes out a

1709.

writt, wherein he makes a declaration of his case, and shews the cause he has of action agt. the Defendt., wch. writt bears the test of the sworn officers, that are appointed to grant them, as the Clerks of the Court where the action is brought. (b). This writt is served upon the Defendt. 6 days before the Session of the Court, where the action is to be tried, and a copy of it given him by the Sheriff or Constable, who are sworn officers appointed for the serving of such writts. (c). The Defendt. appearing is first heard in his pleas for abating ye writt, or in barr of the action, wch. if found insufficient, he then pleads to an issue. The Jury summoned to attend ye Court are sworn; both Plaintiff and Defendt. are heard on their severall pleas, and what they bring in evidence received; and the cause committed to the Jury. (d). The Jury being agreed upon a verdict, give it in to the Court, which being entred, the Court proceeds to give judg[*h*]ment accordingly. (e). Either party, aggrieved with the judg[*h*]ment, may review to the same Court, at the next session, or appeall to the Superiour Court, giving in bond to prosecute. (f). Either party aggrieved with ye sentence or judg[*h*]ment of the Superiour Court, upon such appeall brought, may bring ye action by review to ye next Sessions of such Superiour Court, where it is again heard and determined in the foregoing method. (g). Upon the finall hearing and determining any cause, execution is granted by the Clerk of the Court, according to the judg[*h*]ment. In all capitall causes we have a Grand Jury. And if they find the bill, a Petty Jury is improved, as in other cases. (2). We are preparing an exact Body of our Laws to send yr. Lordships. The low circumstances of the Colony has kept us without a Press, so that we have been necessitated to make use of Manuscripts for a considerable number of our Laws; but are now endeavouring to put them all in print, which we hope will be accomplish'd in a short time; and shall take the most speedy care to transmitt them. (3). The number of our inhabitants according to the exactest computation we can make of it, is about 4000. And of them, those that upon their desire have been admitted Freemen are about 2000. For servants, we have but few, either white or black, and we judge not above 100. (4). As for the increase for 5 years last past; it has not been much, especially of our servants, some blacks are brought from the West Indies hither, but very rarely. And we have none that trade to Affrica, or bring any white servants to us from Europe. (5). The Militia of the Colony, which consists of all above 16 that are capable to bear arms, amount to 3,500. (6). The commodities exported to Great Brittain are chiefly turpentine, pitch and tarr. But there is little of these wch. go directly from hence; the last fall there was one briganteen, mostly belonging to inhabitants in this Colony, which sailed from hence to Great Brittain laden with such stores. And there was at the same time another briganteen, of Boston, which took in the same kind of loading here, for Great Brittain; but most of these stores were of the growth and production of Massathusetts

Bay. These 2 are ye only vessells wch. we know of that took in their lading here for Great Brittain. Those small quantities of such commodities made in this Colony, are sent directly to Boston or New York, for the procuring of such European goods as are consumed in this Government. (7). Our trade with other places is chiefly with Boston, New York, and ye West Indies; to Boston and New York we ship the principall produce of this Colony, which is grain, as wheat and peas, rie, barly and Indian corn; and pork and beef; some small quantities of turpentine and tarr. And it is by this way we are furnished with cloathing and other manufactures brought from England. To the West Indies we send horses, staves, hoops, and some small quantities of pork and beef; and bring in return sugar, malasses and rum, cotton wooll, and these in such small quantities that very seldom any of those commodities, so brought into this Government, are exported.

Your Lordships will see that the trade of this Colony, wch. lies principally in what is produced by the labour of the inhabitants in their tillage of land, is not likely to admitt of any great increase, especially during the warr, wch. takes off many of our labourers from their tillage; European and other commodities being also by reason of the warr sold at so great rates, that all we can raise upon our lands, to procure them with, will afford us but a very slender supply. Nor are there any persons among us of estate sufficient to import such stores of European goods, as produce of the West Indies, into this Colony, as might increase trade here, by inviting the inhabitants of the neighbouring Provinces to supply themselves from hence. (8). There is a carefull inspection had upon the Navall Officers in the severall ports within the Government, that at no time any vessels that trade unlawfully may escape. And tho it is not possible for the best care wholly to prevent such evill practises, yet we believe there is as little of it at any time, practised by any vessels trading into this Government, as can be thought. For our supplies of European goods are from the neighbouring Provinces. No vessels having any trade from Europe, Asia or Affrica directly to this Colony, (excepting a sloop sometimes from Fiall and ye Maderas), nor any ennumerated commodities exported out of the Colony but very rarely. (9). Ships we have none, briganteens 2, and sloops 17; about 100 seamen; all which vessels were built in this Government. (10). The Manufactures in the Colony are but few; there is but one clothier in the Government. So that our people are necessitated to wear the cloth they can make in their own families, without anything more than fulling of it (for ye most part) after it comes out of the loom. All we make is not enough to serve the occasions of the poorer sort. Nor are those few tradesmen we have of other sorts capable to supply the necessities of our inhabitants, who are obliged to buy for their use in ye neighbouring Provinces. We rejoyced in this opportunity to lay the present state of this Colony before yr. Lordships, whose great concerns for the good of the Plantations in generall,

1709.

and this in particular, expressed in your letter, does both assure us of yr. Lordships' favour, and confirm us in the hope of our future prosperity, to which nothing can contribute more than yr. Lordships' counsel and directions, *etc.* *Signed*, by order, Eleazar Kimberly, Secy. *Endorsed*, Recd. 9th June, Read 12th Dec., 1709. 7 *pp.* [*C.O.* 5, 1264. *No.* 88; *and* 5, 1292. *pp.* 178-185.]

Jan 24. Whitehall. **324**. Council of Trade and Plantations to the Earl of Sunderland. Since our letter of Jan. 21, we have received a letter from Governor Crow, wherein he acquaints us that upon his suspending Col. Sharp, Mr. Walker and Mr. Beresford, there were then but five of the Council resident, for which reason he had sworn in Messrs. Berwick and Aynsworth, so that in that respect he has pursued his Instructions. By the same packet we have received the Governor's reasons for his suspending the 3 Councillors, which we shall consider. [*C.O.* 29, 11. *p.* 391.]

Jan. 25. Whitehall. **325**. W. Popple to Richard Savage. Communicates Governor Crowe's complaints (Nov. 2, 1708) against the Custom House Officers at Barbados. [*C.O.* 29, 11. *p.* 392.]

Jan. 25. **326**. George Gordon to the Queen. Petitioner was appointed by H.M. Provost Marshal of Barbados, 1707. The Provost Marshal formerly appointed a deputy as Marshal to attend the General Assembly, and has also by himself or Deputy been accustomed to serve all processes and execute all executions arising out of the Courts, *etc.* But the Government of the Island in several new laws have empowered several Committees and Commissioners to make their own Marshals, which they have done. *Refers to* Act *to ascertain the payment of bills*, 1707, and the Supplemental Act, 1708, and the Act *for settling the public accounts.* The Judges of the Courts of Common Pleas and the Judge of the Court of Admiralty have of late taken upon them to appoint their own Marshals, and have refus'd to admit Petitioner's Deputy to execute the duty of Marshal for the said Courts as has been usual. Which proceedings are manifest encroachments on your Majesty's grant, and thereby Petitioner is deprived of the greatest part of the perquisites of his office, and several great complaints are made of the partial and slow execution of Justice, occasioned by the great dependance that these Marshals now have upon the inhabitants, many of which are obnoxious to the law, and new offices are erected to the increasing of the disputes and contentions of the people. *Prays* to be restored to the due execution of his office. *Subscribed*,

326. i. Jan. 25, Whitehall. Referred by H.M. to the Council of Trade and Plantations. *Signed*, Sunderland. *Endorsed*, Recd. Read Feb. 1, $170\frac{8}{9}$. $3\frac{1}{2}$ *pp.* [*C.O.* 28, 12. *No.* 3; *and* 29, 11. *pp.* 393-396.]

1709.
Jan. 26.
African House.

327. Royal African Company to the Council of Trade and Plantations. Request for copies of any complaints from the Plantations against them. *Signed*, John Pery, Secy. *Endorsed*, Recd. Read Jan. 27, $170\frac{8}{9}$. *Addressed*. 1 *p*. [*C.O.* 388, 11. *No.* 107.]

Jan. 26.
New London.

328. Governor and Council of Connecticut to the Council of Trade and Plantations. Your Lordships' letter of April 15, 1708, came not to our hand till Dec. 22, in obedience to which wee have made strickt enquiry what number of negroes have been imported June 1698—Dec. 1707, and find that their hath not been one vessell either of the Royall Affrican Company's, or of seperate traders, that hath imported any negroes hither in that space of time, nor any since or before, that wee can heare of. Their are but few negroes in this Government, and those wee are supplied with from the neighbouring provinces for the most part, except that sometimes half a dozen in a year may be imported from the West Indies. As to the half yearly accounts of negroes imported from Dec. 25, 1707, their is now a year from that time run out and none imported, nor any like to be in vessells from this Colony, their being none employed in that trade. And for the future wee shall be carefull to transmit the half yearly accounts your Lordships send for, as wee shall to observe what other directions your Lordships may give us. *Signed* by order, Eleazar Kimberly, Secry. *Endorsed*, Recd. June 9th, Read Dec. 12, 1709. *Addressed*. *Sealed*. $\frac{3}{4}$ *p*. [*C.O.* 5, 1264. *No.* 87; *and* 5, 1292. *pp*. 176, 177.]

Jan. 27.
St. James's.

329. Four Orders of Queen in Council, relating to supplies for Newfoundland *etc*. *Set out*, A.P.C.,II., *No*. 1078. *q.v.* *Each signed*, Edward Southwell. *Endorsed*, Recd. 9, Read 15, $170\frac{8}{9}$. $4\frac{1}{4}$ *pp*. [*C.O.* 194, 4. *Nos*. 84-87; *and* 195, 5. *pp*. 81-84.]

Jan. 27.
Whitehall.

330. W. Popple to John Pery. *In reply to letter of* 26th. The Council of Trade and Plantations have consider'd the observations made by the Royal African Company on their Representation of Feb. 3, $170\frac{7}{8}$, and have thereupon made such alterations in their report to the House of Commons as appears necessary. They have receiv'd from some of the Plantations lists of negroes imported into the said Plantations, which they have inserted in their report, and they have not receiv'd any complaints, as you intimate in your letter. [*C.O.* 389, 20. *pp* 274, 275.]

Jan. 27.
Whitehall.

331. Council of Trade and Plantations to the House of Commons. *Report* upon the African Trade. *Cf*. Jan. 20, $170\frac{8}{9}$. In 1672 the liberty of trading to Africa was by K. Charles II. granted to the present Company exclusive of all others, *etc*. Several complaints against the Company, and a general dissatisfaction that so profitable a trade should be confined to an

1709.

exclusive joynt-stock, soon brought on an interloping trade. During that time several private ships with their cargoes were seiz'd on the coast of Africa, and in the Plantations for trading contrary to the Company's Charter, whereby such private trade was in a manner crushed; but upon the late Revolution it revived again, and was carry'd on for some years to a much greater degree than formerly. In 1697 an Act was passed for settling that trade, whereby liberty is given for the term of 13 years (and to the end of the then next session of Parliament) from June 24, 1698, to any of H.M. subjects to trade within the limits of the Company, paying duties of 10 p.c. ad valorem on all exports and imports for trade between Cape Blanco and Cape Mount, and 10 p.c. upon exports only between Cape Mount and the Cape of Good Hope, with an exemption of duties on negroes, and paying 5 p.c. only on redwood, all which duties are payable to the Company, and (together with the ⅓rd part of all forfeitures) are by them to be wholly apply'd to the maintaining their Forts. Since the passing of that Act, we receiv'd no complaints from the Plantations, either as to the scarcity or excessive prices of negroes, otherwise than as occasioned by the present war till those which have lately been sent from some of the Plantations. The prices of negroes sold by the Company and separate traders have been much the same, and have advanc'd or lessen'd according to the demand, and to the rise and fall of the commodities produced in the several Plantations. The Company does say, that being willing to try if they could carry on the trade under this new regulation, they rais'd an additional stock, but after an experience of so many years have found it attended with insupportable inconveniences, under which they can no longer subsist. For they say that the 10 p.c. amounting to £53,731 does not near answer the charge of the Forts *etc.*, and show a deficit of £185,707 for the years 1698—1707. The separate traders *accuse the Company of extravagance and bad management. Argued in detail with the Company's replies.* The separate traders say the Company has raised the price of negroes, which is more than double what it was before the Trade was laid open, in order to outdo and ruin them. The Company further complain that the natives grow insolent, and are encouraged by other traders to insult the Company's Forts, and bring them under difficulties on purpose to obtain bribes to compose differences of their own creating; and particularly, that one of the separate traders having made a bargain for some negroes, carry'd them to Barbadoes without paying for the same, but that the Company, in order to secure peace and a friendly correspondence with the negro Kings, sent to Barbadoes and bought the said negroes and returned them to the King from whom they were so taken. The traders say the Company's differences with the natives were due to their bad treatment of them in trade. The Company desire of Joint-Stock exclusive of all others, or, in case that shall not be thought proper, they would be content to be limited in their trade from Cape Blanco to Cape Lopez, if the separate traders be restrained from coming there. The separate traders propose, on the contrary, that the trade be laid open (like that to Turkey) under a just regulation. *Arguments on this point and the financial position of the Company, and their work in Africa.* Negroes imported into the Plantations by the Company 1698—1707, *Total,* = 17,760. 'Tis computed that the number of negroes necessary for a yearly supply of the Plantations is (Virginia and Maryland, 4000; Carolina and New York, 1000; Barbadoes, 4000; Leeward Islands, 4000; Jamaica, and what are carry'd by H.M. subjects to the Spanish West Indies, 12000) = 25,000. The separate traders add that the greatest part of the negroes furnished to Virginia, Maryland, Carolina and New York has been by the separate traders, and that not above 200 have been carry'd to those parts by the Company since their establishment, which not having been contradicted by the Company, we must observe upon it that those Plantations, so profitable to this Kingdom, ought not to be neglected, for without such a supply by the separate traders, near one half of the tobacco could not have been produced and brought hither; and how much that would have lessen'd H.M. Customs, and the navigation of this Kingdom, we need not mention. *Quote returns from the Plantations in reply to letter of April* 15, 1708. Upon all which we observe that the number of negroes furnish'd to Jamaica, Barbadoes and the Leeward Islands (which are the principal Plantations) either by the Company or separate traders since the opening the trade, is much less than what were wanting for their necessary supply, and the carrying on the Assiento trade, according to the foregoing computation made on that head; nevertheless we are sensible that in this case an allowance is to be made for losses and other accidents of war, and we believe that the scarcity as well as great rates of negroes at Barbadoes have proceeded from the imposition of their paper-money in payment for negroes, instead of silver or other goods since 1706, tho' it must be allow'd that between 1698—1708, the separate traders have imported into that Island about four times as many, and into Jamaica twice as many, as have during the same time been imported into those Islands by the Company; and that the losses lately sustain'd at Nevis and St. Christophers, when invaded by the French, have occasion'd a like scarcity and excess of price in those last mentioned Islands, where the Planters have little money or effects to buy negroes. It's hard to make a true value of imports either by the Company or separate traders, in regard such imports consist mostly of gold as well as of elephants' teeth and redwood; and it's yet the more difficult to come near the truth thereof on the part of the separate traders, for that most of the masters of their vessels bring home their private adventures in gold. It cannot be doubted but that a trade so very profitable in itself, and so absolutely necessary for the support of the Plantations, ought to be preserv'd and put on such a foot, that it may be carry'd on and improv'd to its full extent. It may reasonably be apprehended, should this trade be confined to a Company by a

1709.

joynt-stock exclusive of all others, that such a Company will contract the trade within the Gold coast, or such narrow limits in Africa as may best turn to their own profit, without regard to the good of the Plantations, or of the Publick, which may be presum'd from the way of their having carry'd it on for the time past. It will of consequence very much lessen the number of ships now employ'd in the Trade, to the great discouragement of our Navigation; for since there has been an open trade, the separate traders have sent out three ships for one employ'd by the Company. Should so extensive a trade be confined by an exclusive joynt-stock, the Plantations may suffer for want of a sufficient number of able negroes at reasonable rates, those markets being always best supply'd, where there are most sellers; and on this head we observe that by the Company's own accounts of the negro-trade from 1680 to 1688, in 9 years (and in a time of peace) there were but 46,396 negroes deliver'd in the Plantations; whereas 'tis computed by the separate traders, that, since the opening of the trade, within the like term of years (notwithstanding the present war, there have been imported by the separate traders into those parts, 160950 negroes.) Lastly, we cannot but be sensible how prejudicial it must be to trade in general to have but one buyer of all such woollen and other goods as are annually exported for this trade; but one freighter of so many ships at home, and but one buyer of the Plantation commodities abroad. 'Tis true, that the French, Dutch and Danes, Hamburghers and other nations trade to Africa in a joynt-stock; their trade being not very considerable; whereas had they the benefit of so large and so many improveable Plantations as belong to Great Britain in America, 'tis presum'd they would soon enlarge that profitable trade to a greater extent by laying the same open, and the separate traders do say that the Portuguese never had any except the Cacho Company, which lasted but 5 years, but that the trade remain'd open to all people of that nation, and that they usually carry'd off more negroes yearly (before our trade was open'd by the said Act) than all other nations in Europe; and they say likewise, it can be proved, that there have been about 100 sail of Portuguese vessels in one part of the coast of Africa in one year, when there hath been but one Company's ship (while the trade was exclusive) in 15 months at one of the Company's chief places of trade. Tho' the carrying on of this trade in the way now settled by the Act, is much more advantageous to the publick than that of an exclusive Joynt-stock, yet we find that great inconveniencies have arisen, and will unavoidably arise from it's being carry'd on upon such different and contending interests as those of a Joynt-Stock, and of a separate trade, for while they strive to beat each other out of the trade, the value of our commodities is greatly lessen'd, and those of Africa as much increas'd, and it is reasonable to believe that from such a struggle in trade the disputes and quarrels between the Company and the natives, and the losses of which the Company complains, have in some measure proceeded; for tho' the Com-

1709.

pany do impute the great lessening of their stock to the extraordinary charges in maintaining the Forts and castles over and above the produce of the 10 p.c., yet if the said 10 p.c. had been well invested in goods, and prudently managed, it might have answer'd that service. In the valuation of the Company's quick-stock (as given by them) all the debts due to the Company, of what kind soever being included, unless we were able to distinguish the good debts from the bad, we cannot positively affirm in what condition the Company now is, with regard to their real stock in trade, but do believe it is reduced so very low that it will be impossible (upon the foot they now stand) for them to carry on that trade, which if duly extended will employ a much greater stock than the Company have hitherto at any time had. Their forts and castles and other their dead stock, the Company did last year value at £141,450, tho' the separate traders say that (at the time of passing the Act) all their forts and castles then in their possession were valued by some separate traders (well acquainted with their affairs) at no more than £4,100, and if they are of greater value now, by any additional fortifications made to any of them since that time, the separate traders hope it will be thought reasonable that such improvement should be look'd upon as owing to the 10 p.c. by them paid (pursuant to the said Act) in proportion to their duties. [*C.O.* 389, 20. *pp.* 275-313.]

Jan. 27.
St. James's.
332. Order of Queen in Council. Stores of war for New Hampshire ordered as Nov. 25, 1708 *etc.* The Governor to return an account to the Board of Ordnance, *etc.* *See* A.P.C. II. *pp* 571-574. *Signed,* Edward Southwell. *Endorsed,* Recd. 7th, Read 9th Feb., $170\frac{8}{9}$. $1\frac{1}{2}$ *pp.* [*C.O.* 5, 865. *No.* 11; *and* 5, 913. *pp.* 49, 50.]

Jan. 27.
Whitehall.
333. Council of Trade and Plantations to the Lords Proprietors of Carolina. We desire to know your resolution, as soon as may be, concerning the Boundary Commission, etc. (*See* Jan. 7, and 13, 1709). [*C.O.* 5, 1292. *p.* 91; *and* 5, 289. *p.* 154.]

Jan. 27.
St. James's.
334. Order of Queen in Council. Order of Jan. 9 relating to petition of Lord Baltimore revoked, upon petition of William Penn, setting forth that the case had been heard and settled Nov. 7, 1685. *Signed,* Edward Southwell. *Endorsed,* Recd. 3rd, Read 4th Feb., $170\frac{8}{9}$. 1 *p.* [*C.O.* 5, 1264. *No.* 59; *and* 5, 1292. *pp.* 97, 98; *and* 5, 720. *No.* 3.]

Jan. 28.
St. James's.
335. H.M. Warrant for Robert Eleis to be of the Council in Nevis. [*C.O.* 5, 210. *p.* 130.]

Jan. 29.
St. James's.
336. H.M. Warrant for Wm. Byam to be of the Council in Antegoa, in the room of Barry Tankard, etc. [*C.O.* 5, 210. *p.* 130.]

1709.
Jan. 29.

337. H.M. Warrant for Wm. Whittington to be of the Council in Maryland. [*C.O.* 5, 210. *p.* 130.]

Jan. 29.
Admiralty Office.

338. J. Burchett to the Council of Trade and Plantations. *Recommends* to their Lordships Mr. Gordon (*cf.* Jan. 25), who has been many years in this office, *etc.* *Signed,* J. Burchett. *Endorsed,* Recd. Read Feb. 1, 170$\frac{8}{9}$. *Holograph.* 1 *p.* [*C.O.* 28, 12. *No.* 4; *and* 29, 11. *p.* 397.]

Feb. 1.
Jamaica.

339. Governor Handasyd to the Council of Trade and Plantations. I think myself obliged by this opportunity to acquaint your Lops. that the Assembly after sitting 4 weeks have made ready two Laws, one for the quieting possessions, the other the settling the ffees of the severall Offices of this Island. After many disputes for and against them, by the advice of the Councill and Attorney Generall, as your Lops. will see in the Minutes of the Councill of Jan. 29, which I shall send you by the first packett-boat or man-of-war, being very well assured the Assembly resolved to enter on no other business, till satisfaction was given them in relation to these two Bills, and most part of the objections that were to them before being removed, I have at last passed them which I hope will be approved of by H.M. and your Lops. I have not been backward to put the Assembly in mind how much they will be obliged to H.M., if she is pleased to give her royall assent to them, and therefore do assure myself they will enable the Treasury to pay its contingent charges for the support of the Government. The Quartering Act expiring was another motive of my passing these two Bills, and I hope it may be the means of the Assembly's making a better provision for the Officers and soldiers of H.M. Regiment here, as well as the Treasury. The enclosed paper will give your Lops. an account of what prizes have been taken and brought in here since my last, the value of them I am not acquainted with, but believe some of them were very considerable. Here are severall sloops and other vessells going to trade on the Spanish coast under convoy of two men of war. A French privateer sloop and periago lately landed on the north side of this Island, and took off 32 slaves, they likewise took 3 sloops from thence, 2 of which were loaden with ffurstick and piemento, but of no great value. The good news of the glorious success of H.M. fforces, under the comand of his Grace the Duke of Marlborough, we had the other day by a runner from Bristoll, which puts me and the Regiment under my command in hopes of being soon relieved. Mr. Wager designs very shortly to sail with all the fforce he can make to windward, to endeavour to intercept some merchant ships coming from Old France to Hispaniola under convoy of two men of warr, one of 70 guns, the other of 50, which are to cruize there some time, and then go down to the Havanna, where they are to bee joined by a ffleet from La Vera Cruz, which is very rich, to strengthen their convoy home. I have given instructions to all the privateers commissioned from hence

1709.

to join with some Dutch privateers that lie to windward, if they can, and cruize between La Vera Cruz and the Havanna, in hopes to fall in with that fleet, which is now under a very weak convoy. I have been obliged to put on board Mr. Wager's squadron betwixt 200 and 300 men of H.M. Regiment, to help to man the ships, which makes the duty very hard on those left on the Island. I shall give your Lops. a more particular account of affairs here by the first packett boat that arrives, or man of war that sails from hence.

P.S. Since my concluding this letter here is arrived in the harbour of Port Royall a Gunea ship of 300 tonn retaken by H.M.S. *Jersey* from two French privateers, who took her off Cape Tiberoon in her way to this Island. *Signed*, Tho. Handasyd. *Endorsed*, Recd. 2nd, Read 4th April, 1709. 3 *pp*. *Enclosed*,

339. i. An account of prizes brought into Port Royal since Nov. 12, 1708=10. (4 French and 4 Spanish). *Same endorsement*. 1 *p*. [*C.O.* 137, 8. *Nos*. 33, 33.i.; *and* (*without enclosure*) 138, 12. *pp*. 377-380.]

Feb. 2.
Whitehall.

340. Council of Trade and Plantations to the Queen. *Report* upon the petition of the Bahama Merchants *etc*., Dec. 30, 1708. We have heard the petitioners, as also the Lords Proprietors by their Council. It did appear to us, at the said hearing, that these Islands have been wholly neglected; that no arms, ammunition or stores of war have been sent thither by the Lords Proprietors these 20 years past; tho' frequent applications have been made to them upon that account; that the side of the Fort next the sea, upon the Island of Providence (which was the only place of strength) has been demollished and still lyes unrepaired; that the guns that were in the Fort have been spiked up and thrown over the wall by the French and Spaniards, when they plundered the said Islands in 1703, as they have done 2 or 3 times since, insomuch the inhabitants have deserted to such a degree, that of 150 families formerly on the Island of Providence, there are now but 12 remaining, and those dispers'd. So that the Petitioners have fully proved the allegations of their petition. etc. *Repeat argument for resuming the Islands to the Crown. See June* 17, 1707. In the meantime, since the defenceless state of those Islands hath been thro the neglect of the Proprietors, we humbly offer that, to prevent their falling into the hands of the enemy, and for the better administration of the Civil and Military Government there in time of war, your Majesty be pleased to send over with your Royal Commission a Governor well experienced in Military affairs, and fitly qualify'd for such an employment, as was done in some other Propriety Governments during the late war; and which your Majesty may legally do in the present case, according to the opinion annexed. And we further humbly offer that your Majesty be pleased to send along with the said Governor at the least one compleat company of foot for the defence of the said Islands,

1709.

and that such Governor be impowered and enabled by a suitable number of gunners, with a supply of warlike stores and other necessaries, to be sent from hence to repair the said Fort, and to put the said Islands in a good state of defence, as has allready been humbly proposed, May 24, 1706, June 17, 1707. [*C.O.* 5, 1292. *pp.* 92-95.]

Feb. 2. Whitehall. **341.** Council of Trade and Plantations to the Lords Proprietors of Carolina. *Refer to* letter of Dec. 9, 1708. It being some time since the Virginia Fleet arrived, we desire to know whether you have received any further account of the goods of the Virginia Indian traders seized in S. Carolina, *etc.* [*C.O.* 5, 1292. *p.* 96; *and* 5, 289. *p.* 153.]

Feb. 3. Craven House. **342.** Lords Proprietors of Carolina to the Council of Trade and Plantations. *Reply to preceding.* Since the arrivall of the Virginia Fleet, we hear that the *Loyal Johnson* from Carolina, on board of which our Secretary and Attorney General are, fell short in her voyage, and was left in Virginia, but we are dayly in expectation of her arrivall, *etc.* *Signed,* Craven, Pallatine; Beaufort, J. Colleton, J. Danson. *Endorsed,* Recd. 4th, Read 7th Feb., 170$\frac{8}{9}$. 1 *p.* [*C.O.* 5, 1264. *No.* 60; *and* 5, 1292. *p.* 98; *and* 5, 289. *p.* 153.]

Feb. 3. Westminster. **343.** Certificate of the Queen's Remembrancer's Office that Governor Tynt has given security in £2000 to observe the Acts of Trade. *Signed,* Hen. Stevens. *Endorsed,* Recd. Read Feb. 9, 170$\frac{8}{9}$. $\frac{3}{4}$ *p.* [*C.O.* 5, 1264. *No.* 61.]

Feb. 3. St. James's. **344.** Order of Queen in Council. Referring Representation upon the Bahamas, Feb. 2, to H.M. Attorney and Solicitor General, who are to report, with all convenient speed, what they conceive may be fit to be done thereupon. *Endorsed,* Recd. 9th, Read 15th Feb., 170$\frac{8}{9}$. 1 *p.* [*C.O.* 5, 1264. *No.* 62; *and* 5, 1292. *pp.* 132, 133.]

Feb. 4. [15 N.S.] Platientia. **345.** Major Lloyd to the Council of Trade and Plantations. The Garryson of St. Johns haveing been surprised on Dec. 21 last and carryed by the Enemy before ye soldiers could gett under armes, I take leave to acquaint you therewith by this which goes by the way of France, therefore cannot expect to say more then to pray your Lordshypps I may be demanded by ye commanding officer of St. Johns next summer according to ye Chartell formerly settled between ye commanding officers of both nations for exchange of prisoners in this Collony, in order to my being tryed there by a Court Martiall for ye justification of my behaviour relateing to ye misfortune that happen'd. *Signed,* Tho. Lloyd. *Endorsed,* Recd. 17th, Read 20th June, 1709. *Holograph.* 1 *p.* [*C.O.* 194, 4. *No.* 95; *and* 195, 5. *p.* 110.]

1709.
Feb. 4.
Whitehall.

346. Council of Trade and Plantations to the Earl of Sunderland. *Enclose* following for H.M. signature, at the first convenient oppertunity, the convoys bound with the trade for Virginia having orders to sail with the first fair wind after the 10th. *Annexed,*

346. i. Additional Instruction to Governor Hunter. Revoking Instruction about granting lands in Virginia, April 30, 1707. The method of granting lands is to be according to the Charter and Laws of Virginia, "due care being taken that in all such grants of lands hereafter to be made, regard be had to the profitable and unprofitable acres, and particularly that every pattentee be obliged in the best and most effectual manner to cultivate and improve 3 acres part of every 50 acres so granted within the term of 3 years after the passing of such grant. And in case of failure thereof, such grant or grants to be void and of none effect. [*C.O.* 5, 1362. *pp.* 350-355.]

Feb. 5.
African House.

347. Royal African Company to Mr. Popple. *Ask for* names of ships that have, since the passing the Act *to settle the trade to Africa,* imported negroes into Jamaica and Antegoa, and the number of such negroes imported by the separate traders into each of these Plantations. *Signed,* John Pery, Sec. *Endorsed,* Recd. 5th, Read 7th Feb., $170\frac{8}{9}$. *Addressed.* $\frac{1}{2}$ *p.* [*C.O.* 388, 11. *No.* 110; *and* 389, 20. *p.* 316.]

Feb. 8.
6 p.m.

348. James Campbell to Mr. Popple. I was this day to waite on you, but came too late, from thence I went to ye House of Lords to waite on my Lord Stamford, but missed of him. At my return to ye Citty, I just now received the favor of yours, and in answer send you the inclosed coppy of a letter I had last night by the Lisbon male from Newfoundland, *etc.* *Signed,* Ja. Campbell. *Endorsed,* Recd. Read Feb. 9, $170\frac{8}{9}$. *Holograph. Addressed. Sealed.* 1 *p.* *Enclosed,*

348. i. H.E. to James Campbell. Harbargrave Island, Jan. 4, 1708. I writ you by Mr. Archey Cummings, who I hope is safe with you. I am now to informe you of the misfortun of the countrey since Mr. Cumming left this countrey. On Dec. 21 the French from Placentia to the number of 160 cam to the Fort of St. Jones, and ther with skaling ladders gott over the work without any resistance, only two small armes the sentry fir'd. Major Loyd then asleep in his bed, and after the French gott into the Fort, the inhabitants in the new Fort rose in armes, and would have taken the Fort again from the French, but the shouldiers could not gett the keyes out of the Major's house, but when the French cam he could find them, soe from some of those men that have made their escape to those respective Islands, Harbargrav and Carbanere Island the Fort was actually sold to the French, or

1709.

els that number would never have taken it, they surrender'd the Castle next day, being never an officer in it to command it. Wee have petition'd the Queen to send us succors betimes in the spring, for I doe hope if we can have succors betimes in the spring, we shall be able to keep those Islands from the insults of the Ennimie. I hope you will doe what you can to the Government, or els we shall make noe voyages this yeire insuing, *etc.* *Signed,* H.E. *Copy.* 1 *p.* [*C.O.* 194, 4. *Nos.* 83, 83.i.; *and* 195, 5. *pp.* 79, 80.]

Feb. 8. **349**. Deposition of Capt. John Wentworth, Commander of the *Lusitania,* and Capts. Thomas Lemon and Isaac Goswill. Have used the trade to Barbados upwards of ten years, and have in time of peace as well as war been obliged to clere at the Secretary's Office, and take out a licence to saile, signed by ye Governor and attested by ye Secretary. The fee for the licence to ye Secretary hath never bine less then 3/9. *Signed,* J. Wentworth, Tho. Lemon, Is. Goswill. *Endorsed,* Recd. Read Feb. 14, 170$\frac{8}{9}$. $\frac{3}{4}$ *p.* [*C.O.* 28, 12. *No.* 5.]

Feb. 9. **350**. Copy of the Privy Seal for establishing the salaries of the Commissioners of Trade and Plantations, as appointed May 4, 1708:—£1000 per annum to Thomas, Earl of Stamford, William Lord Dartmouth, Sir Philip Meadows, John Pulteney, Robert Monckton, Sir Charles Turner, and in proportion to the day of his death, to the executors of Lord . . . . Herbert of Cherbury lately decd. £400 per annum to the four Clerks of the Privy Council for dispatch of orders and business relating to the Council of Trade; and £73 to be divided equally between the two Doorkeepers of the Council Chamber; £500 to Wm Popple, Secretary, and £650 to be divided amongst the under-officers, *etc.* *Signed,* John Tench, Deputy to Thomas Gosling. 7$\frac{1}{2}$ *pp.* [*C.O.* 388, 76. *No.* 50; *and* 389, 36. *pp.* 380-387.]

Feb. 10. **351**. Order of Committee of House of Commons (appointed to consider of methods for the more effectual execution of the Laws now in force for excluding from the House of Commons Officers and such as receive pensions during pleasure.) The Commissioners of Trade are to lay before the Committee on Tuesday an accompt of such pensions during pleasure as paid by them. *etc.* *Signed,* Tho. Onslow, Chairman. *Endorsed,* Recd. Read Feb. 11, 170$\frac{8}{9}$. $\frac{3}{4}$ *p.* [*C.O.* 388, 76. *No.* 48; *and* 389, 36. *p.* 377.]

Feb. 11. Whitehall. **352**. Council of Trade and Plantations to the Earl of Sunderland. Enclose following to be laid before H.M.

352. i. Council of Trade and Plantations to the Queen. *Representation upon the complaints against* Governor Crowe. *Cf.* Dec. 3, 1708. We have received his answer and the Minutes of Council Sept. 25, 1708,

1709.

whereby it appears that he has suspended the Complainants from the Council, during your Majesty's pleasure, without assigning any other cause for his having so done, than that they delivered to him the said Articles of complaint, which he terms a false, libellous and scandalous paper. When the Complainants are prepared with their proofs, and the Governor to make his defence, as by your Majesty's Order (Dec. 30) is directed, and the complaint shall thereupon have been fully heard in such manner as your Majesty shall think fit to appoint, it will then appear whether the Governor has been guilty of what is laid to his charge; therefore we shall not presume now to offer anything to your Majesty in regard either to the truth or falsehood of the matters contained in the said complaint. But we thought it our duty so far to enter into the consideration of the complaint and answer, as to whether the complainants had thereby given just cause for such their suspension; and thereupon do find that, as the Complainants affirm the said articles of complaint were by them delivered to the Governor in a private and respectfull manner at his own house, no other person being present or privy thereunto, which method they say they took the better to prevent any heats or disorders in the Island on that account. As they took this method to acquaint the Governor with the complaint they intended to lay before your Majesty of his maleadministration, so have they taken care in the framing thereof not to make use of any scurrilous or indecent expression, which might give just offence. Nor does the complaint seem to be without ground, since the Governor in his answer does admit several of the facts, tho' not as the same are set forth in the complaint; however that will more fully appear, upon such further examination as your Majesty shall think fitt to direct. In the meantime, there does not appear to us any good reason for the Governour's having suspended the complainants from the Council. If they had laid this complaint before your Majesty without acquainting the Governour therewith, and upon it your Majesty had thought fit to have put the same into a method of examination, in that case we cannot imagine that the Governor wou'd have suspended them from the Council, while the complaint was under examination, and there seems to be less reason for his doing it in the present case, which differs only in their having given him a copy of the complaint in the manner before-mentioned, whereby he might be better prepared to make an early defence, and if inocent, be the sooner eased of the weight of so heavy an accusation. Tho' it be the undoubted duty of every Member of that your Majesty's Councill to pay all due and lawfull submission

1709.

to the authority wherewith your Majesty has been pleased to intrust the Governour; yet if upon a complaint made to your Majesty by any of the Members of that Board (who in some cases have a concurrent power with the Governor and in others are assistants to him) the persons so complaining shall by reason thereof without any other cause be liable to suspension, we think that such proceeding will greatly tend to discourage all manner of complaint, how just or well grounded soever the same may be; and that thereby the Governor will be left without any sort of cheque in the administration of Government. Wherefore we do humbly propose that the suspension of the said Counsellors, William Sharpe, Alexander Walker and Samuel Beresford be taken off, and that they be restored to their respective places in that your Majesty's Council. [*C.O.* 29, 11. *pp.* 398, 410-415.]

Feb. 11. Whitehall. **353**. W. Popple to W. Lowndes. Encloses Gov. Parke's complaints as to illegal trade in the Leeward Islands, (Oct. 1, 1708) to be laid before the Lord High Treasurer. [*C.O.* 153, 10. *p.* 304.]

Feb. 11. Whitehall. **354**. Council of Trade and Plantations to Governor Dudley. In pursuance of Order in Council, Jan. 27, you are to take care that the stores of war ordered for New Hampshire be not issued, but as the necessary defence of the inhabitants shall require; and that you transmit to us and to the Board of Ordnance regular accounts of the expenditure and remain of all such stores, as by your Instructions and our letter of Aug. 4 last you are required to do. You are therefore to give the necessary directions both in New Hampshire and the Massachusets Bay that H.M. pleasure herein be punctually and duly complied with. [*C.O* 5, 913. *p.* 51.]

Feb. 12. Whitehall. **355**. Mr. Popple to Thomas Corbin. Encloses letters for Col. Jenings, to be forwarded by the convoy for Virginia, *etc.* [*C.O.* 5, 1362. *p.* 356.]

Feb. 13. St. James's. **356**. Order of Queen in Council. Messrs. Sharpe, Walker and Beresford are to be restored to their places in the Council of Barbados, *etc.* Warrant to be prepared accordingly. *Cf.* Feb. 11 and 19. *Signed,* John Povey. *Endorsed,* Recd. Feb. 25, Read March 2, $170\frac{8}{9}$. $1\frac{1}{2}$ *pp.* [*C.O.* 28, 12. *No.* 15; *and* 29, 11. *pp.* 424-426.]

Feb. 13. Whitehall. **357**. Mr. Popple to Mr. Burchett. Quotes Governor Handasyd (Oct. 27, 1708) as to need of sailors at Jamaica, for the Lord High Admiral's information. [*C.O.* 138, 12. *p.* 360.]

Feb. 14. Custom-house, Lyme. **358**. Thomas Jans to Mr. Popple. *Encloses following. Signed,* Tho. Jans. *Endorsed,* Recd. Read March 3, $170\frac{8}{9}$. $\frac{3}{4}$ *p. Enclosed,*

358. i. List of ships wch. sailed from Port Lyme Regis to the fishery at Newfoundland, Christmas 1707—1708, =1. *Signed,* Tho. Jans, Collector, Wm. Bennett. 1 *p.* [*C.O.* 194, 4. *Nos.* 88, 88.i.]

Feb. 14. Whitehall. **359.** Council of Trade and Plantations to the Earl of Sunderland. *Representation on petition of* Mary Bowden (April 22, 30th, and Nov. 12, 1708.). It appears by the report and affidavits transmitted from St. Kitts, that she could not show any title to the Plantation, nor that she had made any improvement thereon; that Governor Parke had paid her the full of what her negroes were appraised at; and that he was so far from hindring her from coming over to this Kingdom, that when (upon her endeavouring to come away) she was arrested for debt (which was the true reason of her being stopp'd) the Governor himself became her security, upon which she was discharged. And therefore we humbly represent, in concurrence with the oppinion of the Lieut. Governor and Councill of St. Christophers, that it does not appear the petitioner had any ground for complaint against Governor Parke, and that her allegations are not true. [*C.O.* 153, 10. *pp.* 305-307.]

Feb. 14. **360.** Deposition of J. Warters as to the rights of the Provost Marshal of Barbados. *Similar to No.* 362. *Signed,* J. Warters. *Endorsed,* Recd. Read March 1, 170$\frac{8}{9}$. 1 *p.* [*C.O.* 28, 12. *No.* 14.]

Feb. 14. Whitehall. **361.** Council of Trade and Plantations to the Committee of the House of Commons (*v.* Feb. 10). No such pensions are paid, nor ever have been paid by us to any person whatsoever. [*C.O.* 389, 36. *p.* 378.]

Feb. 14. London. **362.** Deposition of Mr. Woodbridge, Judge of the Court of Admiralty, Barbados, till Sept., 1708, that George Hannay and James Hannay, Provost Marshal, and George Hays, Deputy Marshal, executed the office of Marshal of the Admiralty and received the profits thereof. *Signed,* Dudley Woodbridge. *Endorsed,* Recd. Read March 1, 170$\frac{8}{9}$. 1 *p.* [*C.O.* 28, 12. *No* 11.]

Feb. 14. London. **363.** Deposition of Patrick Mein, formerly Judge of the Court of Admiralty, Barbados, to the same effect as preceding. *Signed,* Pat. Mein. *Endorsed,* Recd. Read March 1, 170$\frac{8}{9}$. 1 *p.* [*C.O* 28, 12. *No.* 12.]

Feb. 15. **364.** Deposition of Tho. Foulerton and Wm. Heysham. George Hannay, as Provost Marshal, used himself or by Deputy, to levy executions upon the judgments obtained in all or most of the Courts of Common Law. Before his death the Judges of the respective Courts began to claim a right of appointing their own Marshal by vertue of an old obsolete law of the Island, but Mr. Hannay contested the matter and maintained his patent. Whilst the office of Provost Marshal General extended all over the Island it was better executed than it has been since. The offices of Marshal of the Assembly, Marshal for the Council and Court of Errors, Marshal of the Court of Admiralty, Serjeant at arms for the Court of Chancery, were always, dureing our residence in Barbados without interruption or dispute executed by Mr. Hannay and his deputies. *Signed,* Tho. Foulerton, Wm. Heysham. *Endorsed,* Recd. Read March 1, 170$\frac{8}{9}$. 2$\frac{3}{4}$ *pp.* [*C.O.* 28, 12. *No.* 13.]

Feb. 15. **365**. Order of Committee of the House of Commons (*See* Feb. 10). The Commissioners of Trade are to lay before the Committee the establishment of their Office, and whether the persons therein named are interessed for themselves or in trust for any other person, and for whom. *Signed,* Tho. Onslow, Chairman. *Endorsed,* Recd. 15th, Read 18th Feb., 170$\frac{8}{9}$. $\frac{3}{4}$ *p.* [*C.O.* 388, 76. *No.* 49; *and* 389, 36. *p.* 379.]

Feb. 15.
New York.
366. Joshua Kocherthal to the Council of Trade and Plantations. Returns thanks for the favours of the Board to himself and the poor German Protestants. *See* C.S.P. 1706—8. *Signed,* Josua Kocherthal. *Endorsed,* Recd. Read Aug. 29, 1709. *Addressed. Sealed. Latin.* 1 *p.* [*C.O.* 5, 1049. *No.* 108.]

Feb. 15.
Whitehall.
367. Council of Trade and Plantations to Mr. Secretary Boyle. In obedience to H.M. commands (Aug. 4, 1708), we have examined the complaints from Antigua against Governor Parke, *etc.* March 9, 170$\frac{7}{8}$. As to what relates to the dissolving of the Assembly, we find by the Minutes of Councill in Assembly, March 1-5, 170$\frac{7}{8}$, that the Assembly did sit but three days, but that their dissolution was by advice of the Councill there in regard the Assembly did refuse or neglect to proceed upon the publick business of the Island, unless some unwarrantable priviledges by them claimed were first complyed with, not for addressing in behalf of the woman who complained of having soldiers put into her house. We find by the foresaid Minutes that Mrs. Cardro, or Hasings, the woman named in the Address, had no right or title to the said House, she having forfeited the land whereon it was built, by not complying with the directions of the Law of that Island, relating to the seating of lands; the said lands and house (if it can be called so, being but 8 foot square) were thereupon granted to another person, who likewise forfeited the same, and for the same reason; that one of the Lieutenants of the Regiment having complain'd to Col. Park that the Magazine[*s*] were so crouded that he feared they might get distempers, Col. Park ordered the said Lieutenant to put some of the said soldiers into that House, which he did accordingly. This is what the complaint calls sending of soldiers to take possession of a poor woman's house without law or reason. Having on this occasion perused the several Minutes of Councill, we find that the Governor has behaved himself with great zeal for H.M. service, as likewise with great care and diligence for the good and security

1709.

of those Islands, which in justice to him we cannot but acquaint you with. *Autograph signatures.* 3 *pp.* *Enclosed,*

367. i. Minutes of Council of St. Christophers, Nov. 12, 1708. 2¾ *pp.*

367. ii.-iv. Extracts of letters from Antigua, March 9, 1708, St. Kitts, Nov. 13, 1708 and Governor Parke Nov. 14, 1708, *referred to in preceding. Duplicates.* 5 *pp.* [*C.O.* 152, 39. *Nos.* 118, 118.i.-iv.; *and* (*without enclosures*) 153, 10. *pp.* 308-310.]

Feb. 15. Whitehall. **368.** Council of Trade and Plantations to the Earl of Sunderland. *Enclose* draught of Instructions, relating to the Acts of Trade and Navigation, for the Lords Proprietors of Carolina, to be given to Major Tynte, appointed Governor, they being to the like effect as those given to them and all other Proprietors of Plantations on the like occasion. *Annexed,*

368. i. Instructions referred to in preceding. *Cf.* March 24. [*C.O.* 5, 1292. *pp.* 99-131.]

Feb. 18. Whitehall. **369.** Council of Trade and Plantations to the Queen. *Representation upon the petition of* A. Skene (*Cf.* July 8 and Sept. 20, 1708). *Quote charges and defence* (*Cf.* Journal of Council of Trade, Feb. 14). It appears to us, the said Skeen is not the first Secretary who hath taken such fees, the like having been received by his predecessors; however the compelling masters of ships to petition for liberty to sail, whereby they are put to the charge of having such petitions drawn, and the 5/s. paid for the Governor's Order upon every petition, over and above 3/9d. for every licence to sail are an imposition and burden upon trade, and therefore we humbly offer that your Majesty signify to the Governor your dislike thereof, and that for the future masters of ships may be put to no other charge for licence to sail than that of 3/9d., the ancient and accustomed fee: and that such signification of your Majesty's pleasure be entred in the Councill Books there, and that the same may be made publick. The second charge relates to Skeen's receiving £210 for procuring a fleet to be stopt in May, 1704. Upon the whole matter, tho we cannot but adhere to our former opinion that he has justly incurred your Majesty's displeasure in having been engaged in the several beforementioned practices, yet in regard that the aforesaid fees of 12/6 and 5/s. imposed upon trade were not first introduced and demanded by him, and that he has continued for more than three years past under a suspention from the execution and profit of his office of Secretary, that he has past the form of a tryal (tho' we cannot think the same so regular as it ought to have been) and in regard of the good character which has been given of him, we do humbly submitt it to your Majesty, whether he may not be a proper object of your Majesty's clemency and goodness in directing that his suspention be taken off, and he restored to the execution of his office; which if your Majesty shall be gratiously pleased to doe, we presume that the punishment he has already

1709.

undergone will deter him from the like practices for the future. [*C.O.* 29, 11. *pp.* 403-409.]

Feb. 19. St. James's. **370**. The Queen to Governor Crowe. You are to restore Messrs. Sharpe, Walker and Beresford to their respective places in the Council, *etc.* *Countersigned,* Sunderland. 1 *p.* *Endorsed,* Recd. Read Feb. 23, 170$\frac{8}{9}$. 1 *p.* [*C.O.* 28, 12. *No.* 10; *and* 29, 11. *pp.* 419, 420.]

Feb. 19. New London in Connecticut Colony. **371**. Governor Saltonstall to the Council of Trade and Plantations. Upon the arrival of my Ld. Lovelace to his Govermt. I recd. from him yr. Lordships' letters of May 14 and July 13, 1708, *etc.* I immediately caused the 2 Acts of Parliament *therein mentioned* to be published, and shall use my utmost care yt. H.M. Instructions be very punctually observed. *Signed,* Gurdon Saltonstall. *Endorsed,* Recd. 9th June, Read 12th Dec., 1709. 1 *p.* [*C.O.* 5, 1264. *No.* 89; *and* 5, 1292. *p.* 186.]

Feb. 20. Whitehall. **372**. The Earl of Sunderland to the Council of Trade and Plantations. I desire to know whether you have any objection to the granting such a pass *as is desired in enclosed,* and what proviso's or restrictions you will think necessary to be inserted in a pass in this particular case. *Signed,* Sunderland. *Endorsed,* Recd. 25th, Read 28th Feb., 170$\frac{8}{9}$. 1 *p.* *Enclosed,*

372. i. Petition of Peter Diharce, of London, Merchant, in behalf of the owners of a Spanish ship *Nuestra Senora de Begona,* for a pass to proceed on a voyage from Spain to Newfoundland or New England, and to return to Spain with goods not contraband. *Signed,* P. Diharce. 1 *p.* [*C.O.* 388, 11. *Nos.* 115, 117; *and* 389, 20. *pp.* 323-325.]

Feb. 21. Whitehall. **373**. Council of Trade and Plantations to the Committee of the House of Commons. *Reply to Feb.* 15. *Enclose* Privy Seal (Feb. 9). We certify, each of us for himself, and not one for the other, that the respective salaries and every part thereof payable to us by the said Privy Seal are to our own proper use, and not in trust for any other person or persons whatsoever. *Signed* by the Commissioners, Secretary and Officers, *Cf.* Feb. 9. [*C.O.* 389, 36. *pp.* 387-389.]

Feb. 21. **374**. Samuel Barons to Governor Parke. *Prays* that H.M. Order, July 9, 1705, for the restitution of his ship, the *America* and cargo, condemned by Governor Codrington in 1700, may be put in execution. *Case stated.* *Endorsed,* Recd. Feb. 21, 170$\frac{8}{9}$. $3\frac{1}{2}$ *pp.* [*C.O.* 152, 8. *No.* 11.]

Feb 22. Whitehall. **375**. Council of Trade and Plantations to the Queen. *Representation on Lord Cornbury's letter,* Oct. 18, 1708. Foreign coins are by this Act of Assembly (*of New York*) raised to a higher rate than at which they are allowed to be current by the Act *for ascertaining the rates of foreign coins etc.*; and we

1709.

take leave to instance in one particular, vizt., all Spanish coins of Mexico, Sevill and Pillar are not to pass at less than 8/- the ounce Troy; whereas, according to the proportion settled by the foresaid Act of Parliament, the ounce Troy ought to be but 6/10¼. Upon this occasion, we cannot but observe that the Lord Cornbury, in giving his assent to this New York Law, has acted contrary to his Instructions, whereby he is required not to permit any Act of Assembly to pass for altering the price or value of the current coin within his Government without your Majesty's particular leave or direction for the same. Tho', in the forementioned Act of Parliament, there be a Clause (*quoted*) that this Act shall not restrain H.M. from regulating the rates of foreign coins in the Plantations by Proclamation, or from giving Her royal assent to any law hereafter to be made in any of the said Colonies or Plantations, for ascertaining the current rates of such coins, *etc.*, yet the intent of the said Law was that there should be but one and the same value of the same species of foreign coins throughout all your Majestys Plantations in America. When your Majestys royal Proclamation for settling the rates of foreign coins was sent over to New York in 1704, the complaints then made by that Government were, that if the said Proclamation was duly put in execution at New York, that Province would suffer very much thereby, for that the neighbouring Provinces of the Massachusets Bay or Pennsylvania did not pay any obedience thereunto; and therefore the Lord Cornbury suspended the execution of the said Proclamation within his Government, but they did not then make any objection to the rates at which your Majesty was pleased to order the said coins to pass. We further humbly offer, that, should this New York Act be confirm'd by your Majesty, it may reasonably be presumed the other Plantations will also pass laws of the like nature, and thereby raise the value of such coins as they shall think most to their particular advantage; which method would entirely defeat the intent of the foresaid Act passed here the last Session of Parliament, and bring the Plantations under the same inconveniencies as formerly. We are humbly of opinion that your Majesty be pleased to signify your disallowance and disapprobation of the forementioned New York Act. [*C.O.* 5, 1121. *pp.* 359-362.]

Feb. 23.
Admiralty Office.

376. Mr. Burchett to Mr. Popple. I have received and communicated to my Lord High Admiral your letter. (Feb. 13). As my Lord High Admiral is very sorry for this great want of men for the ships in Jamaica, soe is his Lordship not a little surprized at it, since the Governor is pleased to say that the shipps are very healthy. However I am to observe to you that the late Act of Parliament, which restraines the Captains of H.M. shipps from impresting men, even in the greatest necessity, has undoubtedly put it out of their power of keeping their sd. ships soe well mann'd as otherwise they might have been, insomuch that both Rear Admiral Wager and Mr. Baker, who is now going to succeed him in the command of the squadron at

Jamaica, have orders to send their ships home, when they find their men soe reduced, as that there are not more than a sufficient number to sayl them; but as it is to be hoped that the squadron now going will sett forward well mann'd, soe will they carry with them supernumerary men, the better to enable the ships to come home which are to convoy the Trade, *etc.* *Signed,* J. Burchett. *Endorsed,* Recd. Read Feb. 24, 170$\frac{8}{9}$. *Addressed.* $1\frac{3}{4}$ *pp.* [*C.O.* 137, 8. *No.* 30; *and* 138, 12. *pp.* 371, 372.]

Feb. 24. Whitehall. **377.** The Earl of Sunderland to Governor Parke. *Acknowledges* letter of Sept. 29. I am yet a stranger to any articles Mr. Nevin may have brought against you. Be they what they will, you need not doubt of justice and a fair hearing. *Signed,* Sunderland. [*C.O.* 5, 210. *p.* 132.]

Feb. 24. Whitehall. **378.** The Earl of Sunderland to Governor Handasyd. *Acknowledges* letters of Oct. 27, Nov. 23 and Dec. 4. H.M. has not yet come to any determination upon your request to be recalled, and that your Regiment may be releived. As soon as I know H.M. resolution in it, I shall not fail to send you an account by the first opportunity; in the mean time you may be assured of H.M. favourable acceptance of your service. *Signed,* Sunderland. [*C.O.* 5, 210. *p.* 133.]

Feb. 24. Whitehall. **379.** Same to Governor Crowe. *Acknowledges* letters of Sept. 6 and 23, and Nov. 2. The charge against you is so heavy that H.M. could not but grant her letters to the Complainants for their being restored to their places in the Council of your Island, and for a fair and full examination of this matter, which I hope instead of doing you any prejudice will prove of service to you in giving you an opportunity fully to clear yourself, and then you need not doubt of H.M. justice and favour, and you may be assured of the good wishes of, *Signed,* Sunderland. [*C.O.* 5, 210. *pp.* 133, 134.]

Feb. 24. Whitehall. **380.** Council of Trade and Plantations to Governor Crowe. *Acknowledge* letter of Nov. 2. As to what you write in relation to the remissness of the Custom House Officers, and to the power they pretend to have from hence of disposing of all inferior places with regard to the Customes in Barbadoes, we have laid that matter before the Lord High Treasurer. However you ought to have transmitted the like accounts to the proper offices. We have had under consideration your answer to the complaints of Messrs. Sharpe, Walker and Beresford, as also the Minutes of Council to which you referr us for the reason of your suspending the said Counsellors; which do's not seem to us to be well grounded; for the presenting to you in the manner they did their paper of complaints, is not a sufficient reason for suspending them from the Councill, especially H.M. pleasure not being first known upon the complaints, nor you cleared of what they lay to your charge: wherefore we have thought it our duty to represent the same to H.M., who has thereupon been pleased to direct that they be restored *etc.* (Feb. 19). So that the Council as appears by our list (Mr. Timothy Salter and John Frere having been lately appointed by H.M., and Mr. Middleton Chamberlain being some time since gone over) will be full, and therefore Mr. Samuel Berwick and Mr. James Aynsworth are no longer to be continued. Upon this occasion we cannot but take notice that after you had received H.M. Order for swearing Major Pilgrim of the Councill, it was 51 days before you did it, which delay in obeying H.M. Orders you ought not to have been guilty of. *Enclose* H.M. letter, Jan. 22. We shall expect the public accts. you promise us, by the next conveyance. [*C.O.* 29, 11. *pp.* 421-423.]

Feb. 24.
Whitehall.

381. Council of Trade and Plantations to Governor Parke. *Acknowledge* letters of Oct. 1 and Nov. 3 and 13 and 14. The Address from St. Kitts transmitted Nov. 3 has been laid before H.M. As to what you write in relation to the Court Law, you wou'd have done well to have sent us the title thereof, the time when it was past, and whether the same be confirmed here or not, which wou'd have enabled us to have been more particular in our answer; therefore we shall expect in your next that you do give us an answer to these particulars, to the end we may lay yt. matter before H.M., if it shall be found necessary for her pleasure therein. We cannot but concur with you, that it will tend very much to the advantage of the Island, that persons be oblig'd to pay the debts they have already, or may hereafter contract there, and we are sorry to find the inhabitants refuse to do it, and are therefore of opinion that you do use your best endeavours with the Assembly as well in that Island as in the other three under your Government, to get a Law past to oblige all persons to pay their just debts; this we take to be the readiest way to prevent fraud and oppression, and what we conceive will turn to the good of trade and generall benefit of those Islands. We must again repeat what we have severall times writt to you, that whilst you continue to act for H.M. service and the welfare of the said Islands, the resentmts. of those persons concerned in illegal trade and dissatisfied with you for doing your duty shall make no impressions upon us to your prejudice. On the contrary, we do assure you, that when Mr. Nevin, whom we have not yet seen, shall lay the complaints you mention he is to make against you before us, our opinion will be that the said complaints be transmitted to you for your answer before any determination be had thereupon. What you have writ touching illegal trade, has been laid before the Lord High Treasurer. We have laid before H.M. your answer to Mrs. Bowden's complaints as likewise to those from Antigua, with our opinion, that you have fully cleared yourself thereof. We have not received the accounts of stores of war in each of the Islands, which you mention to have sent, Nov. 13,

1709.

therefore you will do well to transmit the same by the next conveyance, as well to us as to the Board of Ordnance; and henceforth yearly accounts of the receipts, expence and remains of stores of war within your Government or oftener, as oppertunity shall offer, etc., as you are required, July 25, 1708 etc. Mr. Samuel Barons owner of the *America* illegally condemned in 1700 by Col. Codrington, has acquainted us that finding his business has hitherto been delayed through the neglect of his former Agent, Col. Thomas, he intends for the future to employ Mr. Edward William and Samuel Byam as his Attorneys for the prosecution of that matter; and has thereupon desired us to recommend it to you to use your interest with those gentlemen to engage them in that undertaking, and protection in the management thereof, which request of his being founded upon Justice, and consonant to H.M. former directions given in his behalf, we do therefore recommend the doing thereof to your care. [*C.O.* 153, 10. *pp.* 311-314.]

Feb. 24. Whitehall. **382.** Council of Trade and Plantations to Governor Handasyd. *Acknowledge* letters of Oct. 27, Nov. 23, and Dec. 4, 1708. As to the contract made between the French King and the Duke of Anjou for transporting goods from France etc. to the West Indies, we have not yet had time to consider the same fully as it ought to be, but we shall do it at the first convenient oppertunity, and if thereupon anything occur to us that may be of use to you for your future directions in this matter, we shall communicate it to you. The practice of privateers selling or burning their prizes as you mention in the first of your foresaid letters, may be of ill consequance, but having writ fully to you upon the subject of privateers Aug. 23, 1708, we refer you thereto, and only recomend to you that the directions in that letter be observed as much as possible, in that case we have reason to hope that the trade with the Spanish West Indies will increase and flourish again. We have laid before my Lord High Admiral what you write in relation to the want of seamen for the ships of war. Wee see no reason why the Councellors who are Agents for the African Company should think themselvs not to be within the meaning of the Act for settling the trade to Africa, it appearing very plainly to us that they are within the intent and meaning of that Act, in regard that they are Judges upon Writs of Error and Appeals in Equity, and therefore if they do persist in the said Agency, notwithstanding what we writ you June 25, 1708, and now write, you are to send over to us a list of their names, that H.M. pleasure may be known therein. We are sorry to perceive by your letter that you apprehend the Assembly will be averse to the quartering of the Officers of the Regiment at Jamaica, since H.M. is at the expence of keeping a Regiment in that Island for their security, we think that the least return they can make is to give quarters to the said Officers and soldiers. You will do well therefore to use your utmost endeavours in this matter. As to what you write about

1709.

the Spanish brigantine, taken at sea by the Commander of the *Kingston* gally without any commission, we shall consider of that matter, and by the next oppertunity you may expect to hear further from us about it. You say that you were not pleased with the arrival of a flag of truce from St. Iago, we wish you had explained yourself a little further, for we do not see if due care be taken, and that the flag of truce come only for the exchange of prisoners, what the inconvenience can be. We observe that there was 28 Spanish prisoners exchanged for 12 Brittish, we presume that was done in order to have a proportionable number of our men return'd when they fall into the hands of the Spaniards, however we desire you to explain this in your next. We have not heard of any design the French have upon the Island of Jamaica, but in case they should make any attempt, we do not doubt of your zeal and care to defend the same. As to your desire of having your Regiment and yourself releived, that matter is now before H.M., whose pleasure therein will be communicated to you from the Earl of Sunderland. We are glad to perceive the Island is at present healthy, we shall expect the account of stores of war you promise. As to the laying of embargoes, that is a matter you ought to be tender in, least it prove an obstruction to trade. But however when there is an absolute necessity and when it is for so short a time as what you mention, we have no objection to it.

P.S. Since our writing what is above we have received a letter from Mr. Burchet, a copy whereof is here inclosed. [*C.O.* 138, 12. *pp.* 367-370.]

Feb. 25. Whitehall. **383**. W. Popple to Sir John Cook. *Refers to* capture of a Spanish brigantine by the *Kingston* galley without a commission. *See* Governor Handasyd, Dec. 4, 1708. The Council of Trade and Plantations desire your opinion whether, the aforementioned brigantine having upon her arrival at Jamaica been seized by the Naval Officer in port, the cognizance thereof does lye in the Court of Admiralty there, or in what other Court the same may be tryed. [*C.O.* 138, 12. *pp.* 372, 373.]

Feb. 26. St. James's. **384**. H.M. Additional Instruction to Governor Hunter, relating to the method of granting lands in Virginia, *as* Feb. 4 and A.P.C. II. *p.* 588. [*C.O.* 5, 210. *pp.* 137-139.]

Feb. 26. St. James's. **385**. H.M. Additional Instruction to Governor Handasyd, for the more strict observance of his Instructions relating to escheats *as* June 15, 26 *and* A.P.C. II., *No.* 1059. [*C.O.* 5, 210, *pp.* 135, 136.]

Feb. 27. St. James's. **386**. Order of Queen in Council. A copy of enclosed petition by Norman Mackaskell to the Queen, complaining that Governor Crowe had committed him to gaol for refusing to answer all such questions as should be demanded of him concerning the proceedings of the late Court of Grand Sessions (*see* June 18,

1709.

'09, No. xlvi.), and praying for relief therein, is to be sent to the Governor and Council of Barbados, who are to return to H.M. in Council a true state of the matter and answer to petitioner's complaints. *Endorsed*, Recd. 16, Read 17 Nov., 1709. 1¼ *pp.* *Enclosed*,

386. i. Certificate that the *above* Order has not been read att the Council, since it was presented to the Governor. Aug. 31, 1709. *Signed*, A. Skene. *Endorsed*, Recd. Read Nov. 23, 1709. 1 *p.*

386. ii. Deposition of Norman Mackasgell, Deputy Clerk of the Crown, Barbados. *Duplicate* of June 18, *No.* xlvi.

386. iii. Deposition of Giles Cooke, Clerk to Mackasgell. *Corroborates preceding.* *Signed*, Giles Cooke. *Endorsed*, Recd. Read Nov. 23, 1709. 1½ *pp.* [*C.O.* 28, 12. Nos. 48, 48.i.-iii.; *and* (*without enclosures*) 29, 12. *p.* 52.]

March 1. St. James's. **387.** H.M. Instructions to Colonel Vetch. Whereas you have laid before us the proposall of an enterprise upon Canada and Newfoundland, which may turn very much to the security and advantage of our subjects in those parts of America, as well as to the prosperity of our Kingdomes in generall, We having taken the same into our royall consideration, do entirely approve of the said proposall, and in order to execute it effectually, have thought fitt to give you these our following Instructions. You shall immediately repair on board the ship appointed by our High Admiral for the transporting you, with such officers as shall be sent over under your command to severall of our Colonys in North America. Upon your arrivall at New York you are to deliver to the Governor of that place a letter from us, and communicate to him there your Instructions, acquainting him that we shall expect from him a punctual and ready complyance to all such as relate to him. You shall represent to him that out of our great desire to answer the frequent applications, which have been made to us by our good subjects the inhabitants of those parts, to deliver them from the neighbourhood of the French at Canada, which of late years hath been so troublesome to them, we have fitted out an expedition, the particulars of which you shall lay before him, and withall let him know, that we strictly require and enjoin him, to give such an assistance to the said expedition, as is hereafter specifyed. You shall signify to him our pleasure, that the Government of New York do furnish a Quota of 800 men, including the four standing companys, and that the City Regiments of York and Albany do duty in the Forts during the absence of the said standing companys. You shall at the same time acquaint him that New Jersey is to furnish 200 men, Connecticut 350, and Pensilvania 150, so that the whole force will consist of 1500 effective[*s*], which are to be disposed into four battallions, each battallion to have one of the four regular companys mixed and incorporated in it, and to be commanded by the Captain as Colonel, whose company is so incorporated in it, and under

1709.

him by the respective officers of the country troops; the officers that go with you, and are designed for New York, to be distributed among the Companys, as the Governour in concert with the Commander in Chief shall think best for the service. You shall likewise acquaint the aforesaid Governours in our name, that we do command and expect from him that the Quotas of his Governments be ready at Albany with all things necessary for the expedition, by the middle of May next ensuing at furthest, and that he furnish all the troops with what arms and ammunition they want out of the magazine at New York, and that he do forthwith get together, and keep in readinesse three months provisions for his quota of men, to be transported and lodged in some convenient place at the Wood Creek, or elsewhere, for the security of which he shall in conjunction with the Governmts. of Connecticut and Pensilvania cause to be built a large wooden storehouse, as also six or more large boats, that will carry 60 men each, for the transportation of their heavyer stores by water and also contract with the Five Nations to make as many canoes with all speed as will be wanted for the said expedition. You shall moreover enjoin the aforesaid Governour in our name to command and engage the aforesaid five Nations as also the River Indians to join with all their fighting men in the said expedition, and promise them a good present if they do. You shall likewise acquaint him that it is our pleasure, that he give all fitting encouragemt. to any Gentleman or others, that shall offer themselves to go as volunteers in this our service. You shall deliver a letter from us to the Governour of Pensilvania, and another to the Governour of Connecticut for the time being, and signify to them our Royall will and pleasure that they have their quota's of men and provisions ready by the middle of May at farthest, acquainting them withall, that the Governour of New York is ordered to assist them with what arms and ammunition they shall want. After having finished your negotiations, for the foregoing expedition with all possible secrecy and dispatch, you shall deliver a letter from us to the Governour of New England, and another to the Governour of Rhode Island for the time being, strictly commanding and enjoining them in our name to raise at least 1200 of their best men, according to their usuall proportions, and likewise to give all fitting encouragement to any such as shall offer themselves to go volunteers in the expedition whether gentlemen or others, as also to have in readinesse a sufficient number of transports wth. three months provisions, and able pilots, whereof Capt. Southweek to be one, and to go in his own galley, and that all may be ready to embark by the middle of May next, upon the arrivall of the Fleet from England, and for their greater encouragement you shall acquaint them that we have ordered arms and ammunition to be sent with you for the number of troops they are to furnish, which arms and ammunition you shall accordingly deliver to the severall companys, in presence of the Governor or Commissary of the country taking a receipt for the same,

1709.

wch. you shall transmit to our Board of Ordnance in this Kingdome. You shall with the concurrence and advice of our Governour of New England contract with ship carpenters for the building of ten or more large flatt-bottom boats that will carry 60 men each for the landing of troops, and also contract with proper persons for the furnishing of eight months provisions to the troops that shall be left at Quebeck and Montreal, if it shall please God to make our forces masters of these places, and to give us the successe we hope for from this expedition. And to the end that nothing may be wanting on our part towards engaging the severall Governments to act with the uttmost spiritt and vigour in this expedition, you shall assure them in our name, that such of the Governments as contribute towards the reduction of Canada, shall have a preference both with regard to the soyl and trade of the country, when reduced, to any other of our subjects, and when they shall have concerted among themselves any reasonable proposall for the procuring to their respective Colonys, the benefitt of the said soyl and trade, we shall not be wanting to give our Royall sanction to the same. You shall communicate these our Instructions to Coll. Nicholson who has offered himself, as a volunteer in this present expedition, and further out of our regard of his known abilitys and zeal for our service, we do require that you shall admitt him into your private consultations with our severall Governours on the methods for putting this your proposall in execution; and if by reason of the distance of time and place, any other preparation may be necessary for the carrying on of this expedition, which we could not here foresee, and which is not contained in these your Instructions, you shall with the concurrence of the Governour who is to assist in any such service, and of Coll. Nicholson, make any such preparations, tho' it is not mentioned in these your Instructions, provided that it appear to you absolutely necessary for the carrying on of the expedition, as aforesaid, and that the Governour and Coll. Nicholson do entirely concur with you in judging it to be so. *Signed*, A.R. *Copy*. 9 *pp*. [*C.O.* 5, 9. *No.* 22.]

March 1. St. James's. **388**. The Queen to the Governor of New York. Trusty and wellbeloved, We greet you well. Whereas We are fitting out an expedition, with great expence, for the security of our subjects in your Government from the neighbourhood of the French in Canada, which has been very troublesome to them of late years, according to certain proposals laid before us by our trusty and well-beloved Col. Vetch, and pursuant to the many applications that have been made to us by our subjects who have suffered very much from the French in that neighbourhood; we do hereby strictly require and command you, to be assisting to this our expedition, after the manner that the said Col. Vetch shall propose to you, and that you look upon those parts of his Instructions which relate to you, and to

1709.

our Government under your care, and which we have order'd him to communicate to you, in the same manner as if they were our positive commands directed to yourself, and that you pay the same obedience to them. And whereas there may be some particulars in our abovementioned Instructions, as that of the place of Rendezvous, which you who live in the country may be the most proper judge of, we do therefore leave this, and other the like circumstances, to be alter'd at discretion, as our service shall require, provided that Col. Vetch and Col. Nicholson do concur with you in any such alteration, and provided that you punctually and exactly observe the numbers of men which you are to raise, and the time when they are to appear and be in readiness to enter on the expedition. 2 *pp.* [*C.O.* 5, 1084. *No.* 40; *and* 5, 1091. *No.* 14.]

March 1. Bermuda. **389**. Lt. Governor Bennett to the Council of Trade and Plantations. *Acknowledges* letters *etc.* of May 14 and July 13. My letter of Sept. 22, 1707 was repeated Feb. 10. Inclosed is a list of H.M. Council *etc.* By Capt. Harford withdrawing himself there are now 5 vacancies. When I deliver a packt. to any Master of a vessel, I constantly put a string to it and order when they find they must be taken, to put a weight to it (as your Lordships mentions) and throw it overboard: But I fear it is to common that that's forgott when danger approaches, but however since it's your Lordps.' opinion, I shall for the future send lists of the inhabitants and what else is required by my Instructions *etc.* What papers I have from time to time transmitted to my brother, chiefly related to my defence when representations have been made against me. But if that's a fault, I shall desist from soe doeing, and depend on your Lordsps.' promise, that noe complaints will be made use of to my disadvantage, till me or my friends for me have been heard. I am very much concern'd that mine of June 25, 1706 miscarryed, wherein was an account of powder and stores of war *etc.* But I shall with all expedition prepare another. The 4 Acts of Assembly your Lordships mentions to be wanting are herewith sent, and if not before, the omission must be in the Secretary in not transcribing them with the rest. But pardon me I am sure that Act for the further regulateing Courts of Judicature hath been (att least) twice transmitted. Therefore I conclude it has been intercepted, which practise my packts. have to frequently fallen under. Here are also other Acts which have been either omitted or miscarryed, that were passed both before and between the yeares 1704 and 1707 and since, *etc.* *Signed,* B. Bennett *Endorsed,* Recd. June 29, Read July 11, 1709. *Holograph.* 3 *pp.* *Enclosed,*

389. i. List of Council of Bermuda, showing 7 dead and one resigned. *Endorsed as preceding.* 1 *p.* [*C.O.* 37, 8. *Nos.* 84, 84.i.; *and* (*without enclosure*) 38, 6. *pp.* 461-465.]

1709.
March 1.
Bermuda.

390. Same to Same. *Acknowledges* letter *etc.* July 7, Aug. 4. I shall acquaint the Assembly when they sit of H.M. Order relating to the passing a Bill to encourage the building a House at the Ferry. The account of stores of war shall be transmitted as soon as possible. *Signed and endorsed as preceding. Holograph.* 1 *p.* [*C.O.* 37, 8. *No.* 85; *and* 38, 6. *pp.* 465, 466.]

March 1.
Boston,
New
England.

391. Governor Dudley to the Council of Trade and Plantations. This comes by Capt. Riddell in H.M.S. *Falmouth*, which is the only safe conveyance since the *Deptford* brought home the accounts and papers from these Governments the last year, and with this your Lordships will receive all the Acts of the Assembly of both Provinces, continuation of the Revenues and grants of supplys for the war, the Minutes of Council, the issues of causes and judgments at law, the accounts of stores, armes, ammunition and cannon in the several castles and forts, and what else I am commanded by H.M. Instructions and your Lordships' letters. *Refers to enquiries* of May 7, 1707. *q.v.* All which the answers to the particular questions will open to your Lordships' satisfaction unless the last, referring to the Governour's imploying his time in H.M. service here, which is after this manner. In May, the General Assembly of the Massachusetts sits down, and generally holds six weeks, which I am forced to attend everyday to put forward H.M. service and to keep the Houses to their duty. The Council consisting of 28 Members and the Representatives about 80, they may be, if the Towns please to be at the charge of their sitting, one hundred. When that Assembly rises, the Assembly of New Hampshire usually sits down for a shorter time, being fewer in number and more [*ready*] in their dispatches. The issue of these two Assemblys brings July and August, [*in*] which months I have what troubles the French and Indians, my neighbours, can give me in the frontiers by their marches upon me in the covert of the woods, which keeps me well imployed to send forces to all parts of the frontiers of 200 miles long, which has been so successfully managed these six years of the war, that I have not lost one village, nor drawn in any, which has been always done in the former troubles with the Indians. This trouble and hurry of their incursions holds till the fall of the leafe, and beginning of October, when the General Assembly of the Massachusetts setts down again for another six weeks, and then follows the Assembly of Piscataqua, as in the spring, and these bring December, when I am fitting out partys from all places upon their snowshoes, who in the depth of the winter for four months are searching the forrests for 200 miles deep for the lodgings of the Indians, whereby this whole war I have kept them from all their antient seats and planting grounds, and driven them to inaccessable places and parts, where no corn will grow for their support, and this brings the Spring again, and a new year's business, and all the travail and care return again. The

1709.

names of the present Council of the Massachusetts are in the inclosed list, tho I suppose that clause in your Lordships' letter mistaken, because H.M. do's not supply the vacancies of Councellours here, as in all H.M. other Governments, but they stand by an annual election, and so the Assembly alters them every year as they please, and the Governour has power by the Charter to refuse any so elected, which is usually done, so far as to refuse one or two of the 28, to maintain H.M. Prerogative, tho' there is frequently reason enough besides, it being easily observed by strangers here, that the best estates in many parts of the Countrey are not chosen into the Council, but very inferiour persons taken in, both for estate and education, and of less affection to the strict dependance of these Governments upon the Crown and Government of England, to the hurt of H.M. interest, which can be amended only by time, and a steady management of affairs, which will at length convince the people of their own benefit in H.M. favour by their good obedience. By the rule of five to one for old men and children against the mustered souldiers, I judge this Province to contain when I arrived 50,000 souls, these are all freemen, and their children, besides the Blacks, of which your Lordships have account in my answer of the Affrican Company. This number is increased by 1000 every year, and so I believe they are for these last six years that I have served H.M. here, the warrs and troubles with the Indians notwithstanding. The cause of the People's removal out of this Province is the inequality of the taxes. The lands are equal our health here, the best of all the Provinces, trade superiour to any, but our taxes are seven times as much as any other part of H.M. Governments, from Carolina to Newfoundland, and there being nothing but a line of marked trees between the inhabitants of this and the other Provinces, and they every year see that the whole burthen of the warr lyes upon these Provinces, this poor people can easily remove to the next Colonys to that degree, that I believe we have lost 200 men within this 5 years, most of them to our neighbours of Connecticot, which will be all redrest and people quiet, when H.M. shall be pleased to make the charge of the war equal upon all the Governments. [*In*] Peace, the import and excise, tho very small will maintain the charge of the Massachusetts Government, and now wee spend in the warr £30,000 per annum by a land tax very heavy to the Planter. I mustered the Militia of the whole Province in 1702, and gave the account, about 10,000, and I believe there are now 1000 more [*in t*]he musters, the warrs and troubles notwithstanding. The commoditys raised in this countrey for exportation for Europe are fish, lumber, oyl tar and other gumms, furrs; fish to the value of £30,000; lumber £2000; oyl, £5000; tarr and gumms £10,000; furrs, £1000; besides these from hence comes into Great Britain sugar, tobacco, logwood, and other dyes, rice, molasses *etc.* to a very great value, produced and brought [*hit*]her by a trade with the West Indies, for provisions, horses and lumber, and from

1709.

Virginia for a coasting trade and barter holden with them, all which center at home in England. I know of no commoditys of Europe supplying the inhabitants here, but from England directly, though they may originally come from Holland, Hamborough, France (in peace) or Spain, because the Acts of Parliament command it to be prevented, and I am as carefull as is possible, tho it be very displeasing to such as use a false trade. The trade of this Province is increased in all the articles above to a very great degree, since my [*coming*] hither, except the article of furrs, which is abated by reason of the war; the Indians [*carry*] their furrs to the French, and our own Indians and English are prevented from lying abroad and following their traps as in peace. And I must add that the woolen trade from England is also in a great measure abated, the people here cloathing themselves with their own wool, and this is occasioned by two things—first the excessive prices of all goods from England, nothing is here sold at less than £150 p.c. advance, most goods more, so that the countrey cannot purchase, and secondly, the returns for England in payment pass through [*so*] few hands, that many, if not most, have no share in them, and so have not wherewith to pay for goods. I begg your Lordships pardon to say, that unless the Kingdom of Great Britain will please to come into a lumber trade from these Provinces, and H.M. will please to build some of her great ships here, the trade for the woolen manufactory will every year grow less, tho' the people increase to a very great degree. They are proud enough to wear the best cloath of England, if chopping, sawing and building of ships would pay for their cloaths, and this method would double the sale of English woolen manufactory presently. There wants nothing to prevent illegal trade, and the officers H.M. has here are very good, but they are but four persons of salary, and there are 40 harbours and places to look after, where goods may be landed; to supply all these places with officers purely upon the head of prevention, where there is nothing to receive, would increase an unreasonable charge to the Crown. I am of opinion that if there were a good yatch with 6 able hands always tending upon the coast, obliged to speak with all ships coming into these Provinces, the charge would be little and the prevention very great, and serve beyond all the land-waiting and officers possible to be erected, and in a few years might be again abated, when the trade of smugling were diverted.

Our ships are of 3 sorts;—above 100 tonns, 20; between 50 and 100 tons, 60; below, these are vessels belonging to the Province that trade to the West Indies and the shore of America, 120; which must demand 1000 saylors, as near as I can set it, besides a like number of all sorts built every two year for merchants of London and elsewhere, there having been registred generally 70 vessels per annum, most of them built here. This Province has all sorts of manufactures setled, that belong to iron, leather, linnen, and tho' to no degree capable

1709.

to serve the inhabitants as yet. There is usually shipped 800 tons of train-oyl from this Province, which alters yearly as the whales pass by us, nearer or further from the shore, and as the weather happens for boats to keep the sea as they pass, wch. they do every year from Pole to Pole. The fishing for codd is much superiour to value of £30,000 per annum, which goes to Spain *etc.*, and returns mostly by England home again, besides the trade of mackerill for the West Indies, at £5000 per annum uncertain. Your Lordships' wisdome needs no intimation of mine to know how these Provinces may be made happy and serviceable. I am humbly of opinion that the English settlemt. from Pemaquid to Delaware River, which never cost England above tenn thousand souls to settle them, which tract is now divided into six several Governments, contain in them 150,000 [*souls*], and are daily increasing, and are a very industrious people, as appears by a subdued and well-built [*countrey*], and will stand in need of nothing to make them such as your Lordships would have them, but a good [*defence*] against the incursions of the Indians and French by land which would be done at once by a Colony of tenn thousand North Britains, who might peaceably enter upon a better land than their [*own*] with all advantages of trade, fishing and lumber, and be in a readiness to assist the removal of the French from Quebeck and Port Royal, and then the Peace and repose of these Provinces would make the trade of all sorts five times what it is presently, over all which, if H.M. Government be justly maintained, and the people and trade kept to a strict and constant dependance upon the Acts of Trade and Navigation, and put upon the linnen manufactory, for which the countrey is extreamly proper; the Mother will find her daughters increase her wealth and honour to a very great degree. The publication of the Union was forthwith done in the presence and attendance of the Council, Military Officers, the Regiment in [*Boston*], Horse and Foot in armes, with all due solemnity, as the Minutes of Council will further advise. *Acknowledges* letter etc. May 12, 1707, which came not to my hands [*till the*] 12th July, fourteen months after, but were presently communicated to the Councill [*and*] are upon record in the Council Books. *Acknowledges* letter Dec. 30, 1707, April 15, 1708 and May 15, 1708. The Acts *concerning foreign coyns and Trade* have had their solemn publication in both Provinces, and I hope will be [*duly*] obeyed: there shall be nothing wanting on my part to make H.M. subjects [*sensible*] of the ffavour done them in both those Acts, and the injury the Plantations have done themselves in raising the value of peices of eight, on pretence of keeping them in the Countrey, which they have mist of, and have only lowered and injured their own estates thereby. *Acknowledges* letters of July 8, 1708. Mr. Bridger is very sensible that at all times he has had my Proclamations, Orders, Warrants and the assistance of the Justices and [*Sherriffs*] everywhere, and in all dangerous places I have assigned him guards for the security of [*himself*] and his Deputys, and wherever he has had tryals with Mr. Plaisted and Mr. Mico, he has had [*letters*] to the Judges of the Courts advising and requiring them to do their duty to H.M. therein, [*as being the*] only Article wherein anything is reserved to H.M. in these great Provinces; and [*because*] there was nothing of a Charter, nor any record of that saving of great timber to H.M. [*in*] New Hampshire, I have obtained a Law, which is humbly offered to your Lordships in the [*files*], that it shall be £100 ffine for any person on any pretence to cut such [*timber*]; but am forced to acquaint your Lordships that at the next Sessions of the Massachusetts Assembly in May last I offerred the same Act in the very words of the Charter of the late King, [*but*] could not obtain it to be enacted by the Representatives, which was the same House that [*by a*] farr minor part of what sat down at first (who were necessarily withdrawn for the defence of the Province,) sent away a secret Address to H.M. reflecting upon myself, and perhaps if it could be known, the care of H.M. rights and interests in this and other things are the [*latent*] reasons of all the displeasure of that little party of men, against whom there is 100 [*to one*] that are of another mind. Referring to the Councellours mentioned for New Hampshire in this letter, I hope Mr. Vaughan [*their Ag*]ent will take out the warrants, and if your Lordships shall please at his return to add him and Mr. George Jaffreys, son of a Councellour lately decd., they are [*men*] of loyalty, estates and education, and will honour the Queen's service in New Hampshire. The postscript of this letter referring to the barbarous method of the French and [*Indi*]ans depending on them, scalping the dead that fall into their hands, is upon account [*that*] the French Government have set the heads of H.M. subjects at a value, sometimes [40] shillings, sometimes £5, which the savages cannot challenge without shewing [*the*] scalps, as the French have made it in their order referring thereto. This I have [*exp*]ostulated and upbraided Mr. Vaudreuil and Mr. Supercass and every Governour on the French [*side*], and challenged them to tell their own Master if they dare of such barbarity used to Christians, [*but to*] no effect, and have threatned them to leave their prisoners in the hands of the Indians, as they [*have*] done many of ours, but have prevailed nothing. On the other hand, I have treated their [*dead*] and living prisoners with all respect, tho as your Lordships will see by the Acts of the [*Assem*]bly of the Massachusetts, I have set the Indian rebels' heads at £100 each, [*who*] after a fforty years submission and allegiance to the Crown of England, and contrary to all [*protest*]ations and covenants with me at two appearances and attendancies of me since my [*comin*]g to this Government, without the least provocation have broken out and murthered [*severall*] Familys at the first opening of the warr five years since *etc.*, a very far different case from what your Lordships [*take*] notice of in their treatment of Christians.

Acknowledges letter of July 13, 1708, and Instruction, July

3, relating to molasses and rice, which I formerly had, [*and is*] well established in the Customehouse of both Provinces; all other clauses in that Instruction, referring to the Union, Forreign coyns, trade to America, are published and established as commanded in both the Provinces. Your Lordships' next letter is of July 23, 1708, wherein I acknowledge my[*self*] well rewarded for all my service here, that anything I have done against the Indian [*enemy*] is acceptable to your Lordships, and if the proposals mentioned referring to Canada [*and Port*] Royal may proceed, it will perfectly put the North America with all the Fishery and Naval stores into H.M. hands, and these Provinces to a lasting repose. I shall, as your Lordships direct, maintain a good correspondence with my neighbours [*of Roa*]d Island, and the rest, with whom I never had any personal difference, but was sometime [*since*] commanded by their Lordships then at the Plantation Board to take and remit papers and [*evidences*] referring to the neighbour Governments, in which I proceeded upon articles by H.M. commands under the Great Seal of England, and no otherwise. It would be very happy if the challenge of Mr. Allyn against New Hampshire may have [*an issue*] after 33 years strife. I shall continue my care and duty to H.M. affairs in Mr. Bridger's hands, and [*cannot*] suppose him guilty of any neglect or connivance; however shall use the caution [*your*] Lordships have given me. I humbly pray your Lordships' favour to Mr. Vaughan in his [*attendance*], I hope he will behave himself as he ought, having always observed his loyalty and affection to H.M. Government here. I shall obey your Lordships' commands, and put the letters to the other Offices [*by*] themselves for the future. I have also with these letters a duplicate of H.M. commands referring to Mr. [*Vetch*] and Borland *etc.*, and have proceeded long since in that affair as I am commanded; [*the*] fines of every one of them were forthwith restored, they having given bonds for their attendance of a new tryal in ordinary form, except Mr. Vetch who is not yet returned, and the Courts are proceeding in their tryals, and the accounts of causes will contain the issues of those ca[*ses*].

Acknowledges letter of Aug. 4, 1708, containing H.M. Order as to accounts of ordnance, *etc.* I have not hitherto neglected for 4 or 5 years last past the account from the Castle of Boston, the Forts of Salem and Marblehead, and from New Castle in New Hampshire, for every half year with the expences have been duly transmitted under [*the*] officers' hands, and my letter conveying them unto the Board of Ordnance, and are well arrived as [*far*] as I can learn, and I doubt not are there remaining, ending Lady Day and Michaelmas Day annually, and shall now be sent home to June 24 for the years, with this intimation, that I had 50 barrels of powder from the Tower of London which came with me hither in April, 1702, and since that I received 20 cannon, which are set in the Castle of Boston, in such places as H.M. Engineer has determined most proper for the service; all other powder and

1709.

shot has been annually bought by the Province money given for that end and taken in the powder duty in both Provinces, being one pound of powder for a ton of all ships coming hither in trade.

Duplicates of these shall be also sent to your Lordships' Board, and are inclosed, *etc.* The continual marches in the woods and 150 small garrisons in the frontiers, and the *Province* gally, which are all maintained at the Province charge, put me to the expence of — barrels of powder per annum, for which the Assembly raises a payment in common with other affairs, and is with great strictness and care issued by warrant for the several services at all times, which has sometimes cost £18 a barrel, and to the [*end that*] the stores of powder might be kept safe and not endanger this great town, I have this [*summer*] built a very fair Powder-house of brick, distant from any other buildings, and appointed [*and sworn*] officers to receive and deliver all powder and other stores there kept, which cost the Province £600. Your Lordships will see by the account of cannon etc., that there are but four fortifications that give in their accounts, the Castle of Boston, Salem, Marblehead, and Newcastle, besides which there are two other at present holden by a standing force, both in the Province of Main, one at Saco River and the other at Casco Bay, these two forts were built before my coming hither as Trading Houses, but had each of them 4 gunns for the security of the Trade, and when war broke out, the Representatives of this Province earnestly moved me to slight them, and draw [*in that*] frontier; but they being the utmost frontiers eastward, I have always possitively refused [*to*] draw them in, and while Col. Romer was here H.M. Engineer, I got that at Casco enlarged, and have usually 100 men in garrison there. The other at Saco stood inconveniently [*in a*] valley, and Col. Redknap, H.M. Engineer now residing here, has taken down this Fort, [*and*] set it in a more advantagious place down the River, where it covers the Fishery. This put the [*Province*] this year to 3 or £400 cost, and will be for the future very serviceable. I have had but one inroad this summer from Canada. Mr. Vaudreuil, the Governour [*of*] Quebeck, being in June last at Montreal, gave out his warrant for the raising 1000 men for a descent upon me, of which I had soon notice from my Indian scouts always [*lying in*] his countrey, and near him, but not knowing where they intended to light upon me, I was for[*ced*] to equip 2000 men, 10 troops of horse and the rest ffoot, and lay them about 150 in every village from Dearfield to Wells, 200 miles in length. But it so happ[*ened that*] Mr. Vaudreuil being then 300 miles from Quebeck, where the most of his troops were to be raised, the people made a great pretence of sickness and disorder amongst them, so that he fell in his demands to 500, and when they mustered they proved but 300, [*and*] after 3 days march, half of them, being most Indians weary of the war, deserted and fled, so that at 40 days they fell in upon Haverhill, an open village of about 200 ffamilys, where as in other villages there was a troop of horse, and 100 men quartered, who soon beat [*them out*] of town, killed them 20 men, and they carryed away as many wounds, and we lost here 3 [*ffam*]ilys of the poor people, who without that care must 1000 of them have perished in a few hours [*time.*] I have now abroad a force of 200 men upon their snow-shoes, ranging all the old [*settlem*]ents of the Indians at 200 miles distance, where I have kept them from their planting and [*reside*]nce these 6 years, and resolve by the help of God to keep them from thence till they desert the [*Fren*]ch service and return to their duty and allegiance. And they now confess it was easy for the French to draw them into a Rebellion, but they are not able to support them in their own places, but [*they*] must leave their beloved countrey for another that will bear no corn, nor support them like [*their*] own. All this unspeakable trouble and cost would be saved by rooting out the French [*at*] Quebeck and Mont Real, and all the Indians in North America would submit in one day, for [*want*] of arms and ammunition, as well as other supports and succours.

In 1692 the Government of this Province obtaining the late King's [*favour*] for the establishment of the methods of their churches, and amongst other laws [*for*] that end, an Act *for the support of Ministers etc.*, and thereby being impowered to raise a maintenance for the ministers equally upon the inhabitants, [*whi*]ch in some places proved ineffectual, so many of the people living disorderly, and some of them [*being*] Quakers, that there was nothing done towards the maintenance of a Minister in several [*pla*]ces, particularly in two villages called Dartmouth and Tiverton, to remedy which the General Assembly the last year added 60 pounds to the publick tax of Dartmouth, and 30 to that of Tiverton for the maintenance of the Ministers there, which the Quakers, who were the assessors [*of the*] towns perceiving, refused to lay the tax with that addition, and are since restrained and [*imp*]risoned by the Treasurer's warrant for the whole tax of the two towns amounting to [*five*] hundred pounds. I thought it my duty to acquaint your Lordships herewith, expecting [*a*] complaint thereupon. I am sorry for their suffering, tho it be not upon the head of [*reli*]gion, and am also sorry that they would be assessors of the tax to bring themselves into trouble, [*they*] think it hard to be taxed to the maintenance of the Ministry, and if those that are strictly of their [*prof*]ession were quitted, it would be no great loss, but it is expected that if such an indulgence be [*given*], a great many will profess themselves Quakers to quit themselves of this charge, as they have [*done*] from bearing armes, and many villages in the countrey would be left without any publick [*worship*] on the Lord's Day. I humbly offer it to your Lordships' consideration, having no interest in the matter but that [*Religi*]on may be maintained. At a village called Swansey in the same County with these there was a sober young Divine, [*a*] Master of Art, who preached to some of the people at their request; the Selectmen of [*the*]

1709.

town being Anabaptists, issued a warrant to convent him as if he had [*bee*]n a vagabond, and like to be chargeable to the Town; a copy of that warrant is *enclosed.* P.S. [*Since*] the writing of what is above, [*referr*]ing to the Assessors of Dartmouth [*and*] Tiverton being imprisoned, *etc.*, that matter is accommodated, and the persons discharged of their imprisonment, and the raising that money for the support of the Ministery in the two towns suspended at present. *Signed,* J. Dudley. *Endorsed,* Recd. May 23, Read Dec. 8, 1709. 6 *large pp. Edges torn. Enclosed,*

391. i. List of Council of the Massachusetts Bay:—Wait Winthrop, James Russell, John Hathorne, Elisha Hutchinson, William Browne, Samuel Sewall, Isaac Addington, John Phillips, Jonathan Corwin, John Foster, Joseph Lynde, Elm. [=*Eliakim*] Hutchinson, Peter Sergeant, Samuel Partridge, John Appleton, Andrew Belcher, Ephraim Hunt, John Higginson, Edward Bromfield, Samuel Appleton, Isaac Winslow, John Cushing, John Otis, Nathanl. Norden, Ichabod Plaisted, John Wheelwright, Joseph Church, Daniel Epes. *Endorsed,* Recd. May 23, 1709. $\frac{3}{4}$ *p.*

391. ii. Account of gunpowder issued in the Massachusetts Bay, April 1703—March, 170$\frac{8}{9}$. 354 barrels. *Signed,* Andr. Belcher. *Endorsed as preceding.* $\frac{1}{2}$ *p.*

391. iii. Gunpowder bought for the Province, 1703-8. 335$\frac{1}{2}$ barrels = £3200. 12. 4. *Signed,* Jer. Allen, Cl. to ye Treasury. *Same endorsement.* $\frac{3}{4}$ *p.*

391. iv. Warrant by the Select men of Swansey, Co. Bristol, Dec. 10, 1708. To Benjamin Carey, Constable. Whereas we are informed that John Fiske, late of Bristol, is come to dwell in this town, and is entertained at Mr. Israel Pecks. Therefore according to the trust committed to us by Law, you are required in H.M. name to warn the above-named John Fisk to depart this town within 14 days after warning, and not to return to inhabit again within this town without liberty from the Selectmen, *etc.* *Signed,* Joseph Carpenter, Wm. Anthony, Joseph Mason. *Same endorsement.* 1 *p.*

391. v. List of causes tried in the Massachusetts Bay, Dec., 1703—March, 170$\frac{8}{9}$. *The whole endorsed as preceding.* 46 *pp.*

391. vi. Proclamation by Governor Dudley for a Day of Thanksgiving in the Massachusetts Bay Nov. 25, 1708, for the maintenance of the Union, the victory in Flanders; preservation from the enemy, particularly in not giving Haverhill a prey to their teeth; for health, harvest, and later rain; and for lengthening out our civil and religious privileges, *etc.* Boston, Nov. 3, 1708. *Printed.* 1 *p.*

391. vii. Proclamation by Governor Dudley for a General Fast in the Massachusetts Bay, March 24, 170$\frac{8}{9}$. Boston, March 2, 1708(9). *Printed.* 1 *p.*

1709.

391. viii. Proclamation by Governor Dudley with regard to seamen and deserters in New England in accordance with the Act of Parliament *for the encouragement of trade, etc.* Boston, Dec. 16, 1708. *Endorsed,* Recd. May 23, 1709. *Printed.* 1 *p.* [*C.O.* 5, 865. *Nos.* 22, 22.i.-viii.; *and* (*without enclosures*) 5, 913. *pp.* 89-119.]

March 1. Boston, New England.

392. Governor Dudley to the Council of Trade and Plantations. This comes by Capt. Riddel, who brings the year's accounts, papers *etc.* [*of New Hampshire.*] *Repeats part of preceding letter. Replies* to enquiries May 7, 1707. By the rule of usual judgment of the number of inhabitants from their muster-rolls, I judge there were in this Province on my arrival 5000 souls, besides a few Blacks; this number may be increased 150, the troubles with the Indians notwithstanding. Very few have removed from hence, but the security from the war and the ease of the taxes in the neighbour Provinces are apparent invitations to all the poorer people [*to seek other*] places. I mustered this Province in 1702, and the rolls amounted to 1000. I believe they are 150 more now. By this your Lordships may perceive that I account New Hampshire is in [*value*] of men, towns and acres of improvement just a tenth part of the Massachusetts, [*and I*] believe I do not misreckon to a hundredth part, their trade excepted, which will [*not make*] more than the thirtyeth part of Boston, and dependancies. The regulation, Government and security of the trade, its advance and strict [*depend*]ance upon Great Britain, is all the same with the Massachusetts, *etc.* Their shipping will bear a tenth from Boston also, ships above 100 tons, 4; between 50 and 100, 6; below 50, that trade, 20.

This Province particularly would presently increase, grow rich and strong, if they were [*put*] upon the building great ships for H.M. Navy, and the North Britains setled in Nova Scotia, as I have humbly offered last year, and now. All the Acts of Parliament referring to the Union, coyns, trade to America, and the [*Acts*] referring to the accustomed dutys upon enumerated commoditys, have been duly published and recorded here as in the Massachusetts. Mr. Bridger has all the encouragement in this Province, as in the other, by Proclamation, warrants, guards, and guides in the woods that he has at any time desired, and this Province has shewed their loyalty and duty in agreeing to an Act of the Assembly that I [*offered*] the last session, making it £100 penalty for [*any*] person to cut any mast tree without H.M. warrant and lycence therefore, which the Assembly very unanimously came into, tho in this Province there was no [*pena*]lty ever set before by the command of the Crown or the submission of the people. [*This*] I humbly acquaint your Lordships with, to shew the loyalty and good inclination [*of*] this Province, in destinction to the other, where I could not obtain it in a long [*sess*]ion of 6 weeks, tho' I propounded it in the words of the Charter of that Province,

1709.

[*where*] the £100 penalty is expressly provided. The other Act this Province has made for the encouragement of the making [*of tar*], they have set it at 20*s*. per barrel for this year, and commanded all future [*Assemb*]lys to set a price annually upon it, and that it be received at that price [*from*] time to time instead of money for the payment of all taxes of the Province, [*which*] will at all times put the poor people upon making what possibly they can annually, and the Treasurer of the Province must have the trouble to dispose of [*it for*] the publick debts, and by this means it will center in Great Britain. I hope Mr. Vaughan will take out the warrants for the three Councellours H.M. has been pleased to add to this Province, to which I desire if your Lordships seem meet, that Mr. Vaughan himself and Mr. George Jaffreys may be also [*added*], being persons of good estate and loyalty. The Act referring to molasses and indigo has been published and established [*here*] in the Customehouse long since. The account of the Castle of this place is in all points sent to the Board of Ordnance by this conveyances, as it always has been, with this addition that your Lordships have a copy inclosed. For this Castle, I have received nothing since my arrival, cannon, armes, or stores. I have kept this Province carefully upon their guards and scouting, and they [*are obe*]dient and diligent, and I have had no inroad of the enemy, to the loss of [*one*] man within the year last past, and Col. Hilton, their Chief Military is now commanding a party of 150 men in the woods, in search [*of the*] Indian rebels. This Province, my Lords, is very small and poor, and a frontier to the enemy, [*gives it*] a great check, but above all the controversy between Mr. Allyn and the ter-[*tenants k*]eeps the Province at a great uncertainty, and it would dispose all things to a perfect settlement, if that were determined. The people are very much distinguished from some others [*by*] their loyalty and good obedience, and inferiour to none for their diligence and industry, and I heartily recommend their prayers humbly presented by their Agent for supply of armes and stores, and, if it may, a small garrison of 20 souldiers at H.M. Fort upon an English settlement. *Signed*, J. Dudley. *Endorsed*, Recd. May 23, Read Dec. 12, 1709. $2\frac{1}{4}$ *large pp. Edges worn. Enclosed,*

392. i. List of Council of New Hampshire. *Signed*, J. Dudley. *Endorsed*, Recd. May 23, 1709. 1 *p.*

392. ii. List of causes tried in the Superior Court, New Hampshire, Aug. 1708. *Signed*, Theodore Atkinson, Cler. *Same endorsement.* 4 *pp.* [*C.O.* 5, 865. *Nos.* 30, 30. i.,ii.; *and* (*without enclosures*) 5, 913. *pp.* 128-137.]

March 1. **393.** Mr. Vaughan to the Council of Trade and Plantations. *Returns thanks for their* report made for the supply to New Hampshire, whose distresses are dayly encreasing. The Assembly have addressed H.M. for a supply of small armes, wch. are dayly lost in ye woods in pursuit of ye enemy, wch. are

1709

much wanted, especially in H.M. Castle, there never yet being any such ffurniture there, wch. doubtless on yr. Lordships' Representation may be supplyed, *etc.* A body of French and Indians promising themselves ye desolation of that part of ye country, were prevented by some troops opportunely comeing thither, so that they did not wholy depopulate a town, but murdered many of the principle inhabitants thereof. *Prays* that some men, as well as small armes may be supplyed for said Castle, to defend ye. sd. Province as well as H.M. Stores of masts, wch. are much exposed, and may soon be destroyed by three or four chops of an hatchet. Petitioner is informed from ye Governor to pray yr. Lordships that ye Council may be filled up, *etc.* *Signed,* Geo. Vaughan. *Endorsed,* Recd. Read March 3, $170\frac{8}{9}$. *Addressed.* 1 *p.* [*C.O.* 5, 865. *No.* 12; *and* 5, 913. *pp.* 52, 53.]

March 2.
Boston in New England.

394. Governor Dudley to the Council of Trade and Plantations. *Encloses following.* *Signed,* J. Dudley. *Endorsed,* Recd. May 23, Read Dec. 12, 1709. 1 *p.* *Enclosed,*

394. i. Account of Stores of War in H.M. Fort at Marblehead, June 24, 1708. *Signed,* Edward Brattle, Capt. of sd. Fort. 1 *p.*

394. ii. Account of powder expended at H.M. Fort, Marblehead, June 24, 1707—1708. *Signed and endorsed as preceding.* $\frac{1}{2}$ *p.*

394. iii. Account of Stores of war, and of powder expended at Fort Anne, Salem, June 24, 1707—8. *Signed,* Stephen Sewall, Capt. 1 *p.*

394. iv., v. Account of Stores of War, and of Powder expended at Castle William, Boston, June 24, 1707—1708. *Signed,* Zec. Tuthill, Lt. and Master Gunner. 3 *p.*

394. vi., vii. Account of Stores of War, and of powder expended at Fort William and Mary, Newcastle, June 24, 1707—1708. *Signed,* Shadrach Walton, Capt. 2 *pp.* [*C.O.* 5, 865. *Nos.* 31, 31. i.-vii.; *and* (*without enclosures*) 5, 913. *pp.* 138, 139.]

March 2.
D.D. Commons.

395. Sir John Cooke to the Council of Trade and Plantations. *Reply to* Feb. 25. I am of opinion that this matter ought to be communicated to ye Lord High Admiral, that directions may issue to the proper officers, to proceed in his Lordship's name in the Court of Admiralty here, in order to have ye [*Spanish*] brigantine condemn'd and declared a perquisite of ye Admiralty, being seiz'd at sea, by a non-commissioned ship. *Signed,* J. Cooke. *Endorsed,* Recd. Read March 3, $170\frac{8}{9}$. *Addressed.* *Sealed.* 1 *p.* [*C.O.* 137, 8. *No.* 31; *and* 138, 12. *pp.* 373, 374.]

March 2.
Barbadoes.

396. Governor Crowe to the Council of Trade and Plantations. We have had no packet or other vessell from Great Brittain these four months, some masters of merchantmen from Ireland report they had news there of H.R.H. the Prince's death,

1709.

god grant it may be otherwayes. *Encloses* coppys of dispatches Nov. 2. I hope H.M. will shew some marks of her displeasure on the offenders. All Mr. Sharpe's negroes and works are now levied upon, and shortly to be sold at outcry, but will not be sufficient to satisfy his creditors. H.M. ships the *Windsor* and *Dolphin* being forced in here to refitt falls very fortuneatly out to convey about 12 vessells home, which carrys above 3000 hhds. sugr., the remainder of our last cropp. The *Tryton's* Prize that brought the Northern trade from New Yorke has taken a French vessell off Martineco of 80 tunns loaden with wine, beef, pork, bread and linnings; said man of war is to returne againe to her station on the 10th of this month. Last week I had one of the Indian Princes of Domineco up here, those Islands continues firm in their obedience to H.M. Our two men of warr are now a cruising. The *Weymouth* is ordered to call at St. Vincents before she returns. By the inclosed Acts your Lordps. will perceive that the Assembly could not be prevailed upon to raise more than 15*d.* per head on negroes, which will but pay Mr. Roberts and the mattrosses six months sallary, so that there is nothing for repairing the Fortifications, or discharge of other debts. Their time being expired, I have issued writts for a new one, to meet on March 22, and shall then repeat the many instances I have made for a further supply, which altho they are all sensible is absolutely necessary, yet deferr it to get favour with the Freeholders in order to continue their votes. *Refers* to case of the Walkers and Lillington (C.S.P. 1705-8.) Mr. William Walker at the last Grand Sessions was indicted by the Grand Jury on the evidence of 3 credible wittnesses for compelling Lillington (at the time of his imprisonment) to give him £2000 to save his life and obtaine his liberty. I send all the proceedings, by which you will see what strange transactions were at the said Court thereupon. I have likewise sent the minutes and proceedings in Council on a memorial and complaint of the Attorney General against the said Court of Grand Sessions, by which your Lordps. will have a full view of that matter and all the proceedings here thereupon; it being, as I conceive, a matter of great importance to the honour of H.M. Government: I pray your Lordps.' speedy and full direction what must be done further therein. I have transmitted the Board of Ordnance a list of all our ammunition *etc.*, and hope your Lordps. will be pleased to order the sending what are wanting. I have some reason to complain of Commodore Legg, which I must deferr untill I can more properly apply myself to the Admiralty Board. *Signed,* M. Crowe. *Endorsed,* Recd. April 19, Read May 2, 1709. 2 *pp.* *Enclosed,*

396. i. Governor Crowe to the Board of Ordnance. Barbados, March 2, 170$\frac{8}{9}$ *Encloses following,* by which you will perceive the great necessity wee have of sundry things, especially powder, smal iron, shott from 3 to 9lb., bunting, neats foot-oyle, tarr, and match, *etc.* *Endorsed,* Recd. April 19th, 1709. *Copy.* 1 *p.*

396. ii., iii. Accounts of the Ordnance stores in the divisions,

1709.

magazines and batteries in Barbados. *Endorsed as preceding.* 3 *pp.*

396. iv. Proceedings of the Grand Jury in Barbados against Messrs. Alexander and William Walker relating to Mr. Lillington, Dec. 14-17, 1708. *With* Depositions of George Lillington, *see supra. Same endorsement. Copy.* 47 *pp.* [*C.O.* 28, 12. *Nos.* 19, 19.i.-iv.; *and* (*without enclosures*) 29, 11. *pp.* 449-454.]

March 3. St. James's. **397.** H.M. Warrant for restoring Alexander Skeen to the office of Secretary of Barbados, *etc.*, *as* Feb. 27, *and* A.P.C. II. *p.* 490. [*C.O.* 5, 210. *pp.* 139-141.]

March 3. Craven House. **398.** Lords Proprietors of Carolina to the Earl of Pembroke. *Request* his approbation of John Turbill, whom they have appointed Judge of the Admiralty in Carolina. *Signed,* Craven, Palatine, Beaufort, J. Colleton, J. Danson. [*C.O.* 5, 289. p. 155.]

March 3. St. James's. **399.** Order of Queen in Council. Repealing Act of New York for *preventing the corruption of current coin. Cf.* Feb. 22, 1709. *Signed,* William Blathwayt. *Endorsed,* Recd. Read March 21, $170\frac{8}{9}$. $1\frac{1}{4}$ *pp.* [*C.O.* 5, 1049. *No.* 100; *and* 5, 1121. *pp.* 302, 303.]

March 4. Perth Amboy. **400.** Governor Lord Lovelace to the Council of Trade and Plantations. I am come hither to hold an Assembly, which met yesterday and chose Mr. Thomas Gordon Speaker. I have given orders for ye proper officers to transcribe fair accts. of the Minutes of the Councill and Assembly, that were holden both here and at New York, the lists of the ships entred and cleared, and the accounts of the Revenue during my Lord Cornbury's time; there is also preparing now an acct. of the remains of the stores of war at New York and Albany. I know not how soon they can be got ready, but I shall send yor. Lops. quarterly, or half-yearly accounts of these things during my continuance here. Yr. Lops. directions relating to the accounts of the numbers of the negroes imported from Africa for severall years past, I am afraid cannot be complyed with, but I will endeavour in all things to follow my Instructions, and give yr. Lops. from time to time an account of my proceedings. I take the liberty to add that Mr. Mompesson having heard that two Gentlemen in England are putting in for his office of Cheif Justice, hath desired me to remind yr. Lops. of a letter which yr. Lops. sent to my Lord Cornbury, and thinking from thence himself secure in his imployment hath therefore made no application to England to be confirmed, *etc. Signed,* Lovelace. *Endorsed,* Recd. Read May 25, 1709. $1\frac{1}{2}$ *pp. Enclosed,*

400. i. Extract of letter from the Council of Trade and Plantations to Governor Lord Cornbury, Feb. 26, $170\frac{4}{5}$. *Endorsed as preceding.* 1 *p.* [*C.O.* 5, 970. *No.* 80; *and* 5, 994. *pp.* 473, 474, (*without enclosure*); *and* (*enclosure only*) 5, 1049. *No.* 102.]

1709.
March 4.
Perth Amboy.

401. Governor Lord Lovelace to the Lord High Treasurer. Extract:—I have not yet been able to divide the lands among the poor German Protestants, the snow being upon the ground, and no distinction can yet be made between profitable and unprofitable land. I have been forced to support them by my credit here, tho' I have not any directions about that matter. I hope your Lordship will please to order the payment of such Bills which I must draw upon my Agent, Mr. Gough, to answer the charge of their support. *Endorsed,* Recd. Read Aug. 12, 1709. 1 *p.* [*C.O.* 5, 1049. *No.* 105.]

March 7.
Craven House.

402. Lords Proprietors of Carolina to the Council of Trade and Plantations. We are now sending to Carolina John Lawson and Edward Mosely Esqs., whom we have appointed to be Commissioners to survey the lands in dispute (*cf.* Jan. 27), and to take all necessary care in the settling and ascertaining the bounds on our part conjointly with such as shall be appointed by H.M. or by any other persons by her order for the Province of Virginia; and in case any dispute may arise which we doe no way foresee in the determination of the said boundaries, we are willing to refer the same to H.M. decision, not doubting of H.M. justice and goodness upon this and all other occasions. *Signed,* Craven, Pallatine, Beaufort, J. Colleton, J. Danson. *Endorsed,* Recd. Read 11th March, 170$\frac{8}{9}$. 1$\frac{3}{4}$ *pp.* [*C.O.* 5, 1264. *No.* 63; *and* 5, 1292. *pp.* 133, 134; *and* (*dated* March 3) 5, 289. *p.* 155.]

March 9.
(N.S.)
Fort Kykoveral.
Essequebo.

403. P. Vanderhëyden Razen to the Directors of the Dutch West India Company. *Signed,* Pr. Vanderhëyden Razen. *Endorsed,* Sept. 6 (N.S.), 1709. *Dutch.* 21 *pp.* [*C.O.* 116, 20. *No.* 17.]

March 9.
New York.

404. T. Byerley to Mr. Popple. Returns thanks for letter of July 23, 1708, and repeats part of following. *Signed,* T. Byerley. *Endorsed,* Recd. May 21, Read Sept. 5, 1709. 1 *p.* [*C.O.* 5, 1049. *No.* 113; *and* 5, 1121. *p.* 401.]

March 9.
New York.

405. Same to the Council of Trade and Plantations. In Oct. last the Lord Cornbury suspended me again, and by a special warrant order'd the High Sherif to arrest me in an action of £4000, and afterwards by a writ of £5000 at the suit of ye Queen, likewise at his own suit for £700. To all which summs I gave in security, but being threatn'd to be worse us'd, I was forc'd to retire to the next Government, till H.E. my Lord Lovelace arriv'd, wch. was about Dec. 20 last, who finding the hardships I had done me without being guilty of any crime, restor'd me to my Office again, *etc. Signed and endorsed as preceding.* 1 *p.* [*C.O.* 5, 1049. *No.* 114; *and* 5, 1121. *pp.* 402, 403.]

March 10.
Whitehall.

406. Council of Trade and Plantations to the Earl of Sunderland. *Reply to petition of Peter Diharce, Feb.* 10. The permission therein desired cannot be granted without dispensing with the Act of Navigation, 12 Car. II. *etc.* [*C.O.* 389, 20. *pp.* 338-340.]

March 10. Whitehall. **407.** W. Popple to the Clerk of the Council in waiting. An Act having been past in Barbados, Sept. 5, 1667, *declaring how the Clarks and Marshalls of the Courts of Common Pleas shall be appointed and what fees they shall receive,* the Council of Trade desire to know whether it appears by the Councill Books that the said Act was ever confirmed or repealed by the Crown, and when. [*C.O.* 29, 11. *pp.* 426, 427.]

March 10. Whitehall. **408.** Council of Trade and Plantations to Governor Handasyd. Since our letter of Feb. 24, we have only to transmit to you an additional Instruction from H.M. in relation to writts of escheat *etc.*, June 26, Aug. 18, 1708. You are therefore to cause this Instruction to be entred in the Councill Books, and observe H.M. directions accordingly. As to the brigantine mentioned by you to have been seized by a vessell without a commission or letters of marque, we have been informed that the Lord High Admiral has had that matter under consideration, so that you may soon expect to receive his Lordship's orders therein. [*C.O.* 138, 12. *pp.* 374, 375.]

March 10. Whitehall. **409.** Council of Trade and Plantations to Col. Jenings. *Enclose* H.M. Instruction (Jan. 13) relating to the granting of lands in Virginia, which is to be entred in the Councill books and observed in the future, *etc.* [*C.O.* 5, 1362. *p.* 357.]

March 10. Maryland. **410.** Governor Seymour to the Council of Trade and Plantations. Though I wrote to your Lordships very lately of Nov. 18 by the way of New Yorke, and of Jan. 10 by a small briganteen hence; yet now having the opportunity of the *Catherine* of London, a ship of good countenance, I have herewith transmitted the Laws and Journalls of our last Assembly. By which your Lordships will see I have not fail'd in my duty to lay H.M. Royall commands before the Generall Assembly, and with all the dilligence and industry I was capable of, heartily to recomend them to their ready complyance; But as there was not any person of liberall education that appear'd there; it was too difficult a taske for me, to graft good manners on so barren a stock; so that they have once more refus'd to do anything therein, save ye addressing H.M. in answer to Sir Thomas Laurence's complaint, and the guage of tobacco hhds. H.M. Royall commands, and the reviving the temporary Laws, and especially those for defraying the necessary charges of the Province, discharging the publique debts of this year, and settling the itinerant Justices requir'd the meeting of this Assembly, and I had some small hopes from their Address to me at ye opening of the Sessions, they would have had a greater reguarde for my advice to them; but there were not some envious and malicious spiritts wanting to create heats and jealousyes among

1709.

the Members of the Lower House; so that it was with greate difficulty they consented to revive the Act for ordering and regulating the Militia untill the end of the next Session of Assembly, as they have done the Act for lymitation of Officers' fees with the like reluctancy and lymitation of tyme, being very desirous to render those who are dependent on the Government as meane as may be, and discourage persons of any tollerable qualifications from discharging the severall offices therein; and this partly to satisfye their owne envious tempers, because they have not what others better deserve, and partly being instigated by a restless and pernicious crew, who, tho' they enjoy H.M. gracious protection, are the declared enemys of our Church and State, and the busiest at the severall elections in the Countys where they reside, to get such ignorant and obstinate people return'd, who will pursue their destructive notions and countenance their illegall proceedings. There are three things in this Province which make the Governmt. very uneasye. The Lord Proprietor and his Agents and a greate many of his and their relations being Roman Catholiques, and constantly providing and maynteyning severall busie Jesuites, the Act of Assembly for the advancemt. of the natives and residents of this Province, and the ambition and large jurisdiction of the County Court Justices. The first by his Lordship's favour in lands not only makes a considerable interest with many of the inhabitants and Delegates, but also gains many proselites, their priests being encouraged and supported by them on all occasions, so that one of them had the confidence to tamper with one of my domestiques; and when they are chequ'd for these abuses, the whole party is in a flame, and ready to raise a considerable contribution for their defence and protection, and with the extreamest spite and malice exclayme against the severity, as they term it, of H.M. Instructions (which indeed would be none, would they conteyne themselves in any reasonable bounds) and often are heard to declare that this Province was favourably created by King Charles I. as an Asylum for them, which indeed it might be could they be contented, and not continually give occasion of scandall and offence to the Government, by the illegall practices of their priests and ye vain malicious lyes they dayly invent and disperse to lessen the glory of H.M. and her confederates happy successes. The second rendring this Province more unfortunate than any other of any H.M. Plantations by imposeing so great an hardship on H.M. free subjects of Greate Brittaine and other her Dominions, that they shall not be capable of having or enjoying any office or trust in this Government untill they have resided here three full years. This discourages all ingenious men to seeke their fortunes in Maryland. And in the space of 14 years, there are scarce 14 men who have undergone that tedious dissability, so that the natives who are ignorant and raw in busieness, and naturally proude and obstinate, are not only the Representatives in Assembly, but the Justices of the County Courts: and by the name of Country-borne distinguish themselves from the rest of H.M. subjects, and run into great heats and divisions, which may be of ill consequence, for as they know little of the laws and good manners they practice less. Thirdly, many of the County Court Justices for many years last past, having been return'd as Delegates to the Generall Assembly, on all occasions have sought to corroborate and establish their jurisdiction by severall Acts of Assembly made of late years, that they allmost believe themselves independent of the Queen's Governour, and were I to change them for others, there is so little choice, the remedye might be worse than the disease. These Justices, especially if they are dealers, which everybody here are, that have anything beforehand, not only countenance their customers, but too often favour one the other, and would have all things under their jurisdiction and administration, tho' they are never so meanly qualified for the trust, and therefore though with their tongues, when seperate, they applaude the new institution of the itinerant Justices, yet when any of them are in the House of Delegates, they leave no stone unturn'd to render it precarious and abortive, by referring ye settlement of a competent sallary to enable the four provinciall Justices to performe their duty, and by severall other crafty evasions, looking upon their honour and grandeur to be highly eclipsed and impair'd by the provinciall Justices coming to hold the Assizes, and before the appearance of their full countys, giving handsome and regular charges to ye Grand Jurys of Inquest, thereby acquainting the people of their duty to God, their Sovereigne and Country, which these Justices of the County Courts never do, were any of them capable thereof, so that the Country-borne, as they terme themselves, neither know their duty to the Queen's Majesty, nor ye respect they owe the civill magistrate; wherefore seing their ignorance and ambition will not suffer them to do what in all honesty and good conscience they ought for ye service of their country, I know not how these Justices, who are the only asserters of H.M. Royal prerogative can be supported, unless H.M. is pleas'd to direct the Councill and myselfe should pay each of them £120 per annum out of the imposts rais'd for the defraying the necessary charge of this Province, which will very well answer that, and the other necessary contingencyes. The Justices of the Provinciall Court, as it stood before this regulation, having been as great a charge to ye Province, without any encouragement to them. The severall Laws for the imposts are now revived for 3 years and better, so that there will be a certaine supporte for 3 years at least to those Justices, but without H.M. express direction I shall not presume to make them any allowance for their service. According to a former direction of the honble. Boarde, I have made some observations on the severall laws enacted this session, which are inclosed, and most heartily begg pardon for anything that may have slipt my notice, having been so very ill that I could not sitt in Councill above 3 or 4 days, during the whole Session, and have not been able to go out of my house ever since. I should be very

1709.

glad to have H.M. royall commands about running out the northern lyne of this Province, or to heare my Lord Baltimore and Mr. Penn had adjusted that matter between themselves, there being many hot disputes, so that ye people of both provinces are, with much ado, restrayned from comitting violence on each other which I should be sorry to see, and in the meantyme will take the best care I can to prevent it, *etc.* *Signed,* Jo. Seymour. *Endorsed,* Recd. June 3, Read Dec. 6, 1709. 6 *pp.* *Enclosed,*

410. i. Copy of a Charter for erecting the Town and Port of Annapolis into a City. Nov. 22, 1708. *Signed,* Jo. Seymour. *Endorsed,* Recd. June 3, 1709. 9½ *pp.*

410. ii. Titles of Laws past in Maryland, Dec. 1708, with Governor Seymour's comments upon them. *Same endorsement.* 12 *pp.*

410. iii. Journal of Committee of Accounts, in the Assembly of Maryland, Nov. 6, 1708. 25 *pp.* [*C.O.* 5, 716. *Nos.* 69, 69. i.-iii.; *and* (*without enclosures*) 5, 727. *pp.* 150-157.]

March 12. Bermuda. **411.** Lt. Governor Bennett to Mr. Popple. *Refers to* letters of March 1, and to enclosed, relateing to the designes of the Spaniards and French on Carolina. I have ordered an advice-boat to be fitted, and will be ready in a few days to carry my packet of notice to Sir Nath. Johnson. Also when I have opportunities, shall send the like accounts to New York, and other H.M. Govermts. on the Continent, and to all the plantations in the West Indies; least the enemy may design elsewhere and not on Carolina. As for this place all due care shall be taken, and hope if they doe come, we shall behave ourselves like men and good subjects. The reason I did not receive intelligence sooner was that Capt. Bell went from Curacoa to Saltertudas, and did not arrive here till 4th inst. *Signed,* B. Bennett. *Endorsed,* Recd. June 29, Read July 1, 1709. *Holograph.* 1 *p.* *Enclosed,*

411. i. M. Gilleber of Curaçoa to M. Samuel Peroneau of Charlestown Carolina. Jan. 19, 1709. I have heard here, itt was projected in La Vera Crux to go in the spring to his country, South Carolina, and that the vessels were already manned for the said expedition. I know not what success itt may have, but itt is good to stand on one's guard. The Spanish gentry will revenge what was done att St. Augustine. The worst of that affaire is that the French will help them. This is all what I can say of that enterprize, which wants confirmation. *Extract translated* by P. Chardon, and Peter le Conte. 1 *p.*

411. ii. Deposition of Boaz Bell, jr., Master of the sloop *Dolphin.* Deponent being in the beginning of January last at Curaçao a French gentleman, M. Bernoe informed him that a Flag of Truce had brought news that a Fleet from Cales touching att the Havana with

their boats only had taken 6 large laden shipps out of the Fleet from Jamaica bound home near the Gulf of Florida. Deponent saw at Curacao several of the officers and mariners who had been so taken and they told him that there were about 16 or 18 ships of war from 20 to 40 guns and the rest small crafts and privateers. M. Bernoe sent *preceding* letter by deponent to warn his friends in S. Carolina. *Signed,* Boaz Bell. *Endorsed,* Recd. June 29, Read July 1, 1709. *Copy.* 1 *p.* [*C.O.* 37, 8. *Nos.* 83, 83. i., ii.; *and* (*without enclosures*) 38, 6. *p.* 460.]

March 14.
Whitehall.

412. Council of Trade and Plantations to the Queen. *Propose* that the Governor and Council of Virginia be instructed to appoint Boundary Commissioners to act with those of Carolina, etc. *Set out,* A.P.C. II. *p.* 588. *q.v.* [*C.O.* 5, 1362. *pp.* 358-360.]

March 14.
Councill Office.

413. Wm. Blathwayt to Mr. Popple. The Lords of H.M. Privy Councill appointed for hearing appeals from the Plantations, having under their consideration an Appeal relating to Jamaica, are desirous to know the names of the several Councellors of that Island, and where each of them is supposed to be at present. *Signed,* Wm. Blathwayt. *Endorsed,* Recd. 14th, Read 15th March, 170$\frac{8}{9}$. *Addressed.* $\frac{3}{4}$ *p.* [*C.O.* 137, 8. *No.* 32; *and* 138, 12. *p.* 376.]

March 15.
Whitehall.

414. Wm. Popple to Mr. Blathwayt. *Encloses* list as desired in *preceding.* The Council of Trade do not know that any of the Counsellors are absent from the Island, except Col. Long, who is here in England. [*C.O.* 138, 12. *pp.* 376, 377.]

March 15.
Whitehall.

415. Council of Trade and Plantations to the Queen. Propose that Mark Hunkins and Thomas Packer be appointed to the Council of New Hampshire. [*C.O.* 5, 913. *p.* 58.]

March 15.
Boston.

416. Mr. Addington to Mr. Popple. Encloses lists of public papers forwarded by H.M.S. *Falmouth.* *Signed,* Isa. Addington. *Endorsed,* Recd. May 23, Read Dec. 9, 1709. 2 *pp.* [*C.O.* 5, 865. *No.* 23.]

March 15.
Boston,
New
England.

417. Governor Dudley to Mr. Popple. This comes by Capt. Riddel, the convoy of the mast fleet, with the year's papers and accounts *etc.,* wherein I have observed their Lordships' commands in putting no papers into their Lordships' pacquets, but what belong to the office. I was not aware of the fault of it before, tho I never put in any letter of my own private business at any time, *etc.* *P.S.* I gave Mr. Drift's second letter to Capt. Southack, and he tells me he has taken order severall wayes for payment. *Signed,* J. Dudley. *Endorsed,* Recd. May 23, Read Dec. 12, 1709. *Holograph.* 1 *p.* [*C.O.* 5, 865. *No.* 32; *and* 5, 913. *pp.* 139, 140.]

1709.
March 16.
Whitehall.

418. Wm. Popple to Charles Davenant. The Council of Trade and Plantations desire an account of Naval Stores imported Christmas 1706—1708. [*C.O.* 389, 20. *pp.* 340, 341.]

March 17.

419. Form of Deputation by Henry Duke of Beaufort, appointing Fortescue Turbervill Deputy to represent him in the General Assembly and Council of South Carolina. *Signed,* Beaufort. [*C.O.* 5, 289. *p.* 205.]

March 17.

420. Lord High Admiral's Warrant for John Turbill to be Judge of the Vice-Admiralty, Carolina. *Signed,* Pembroke. [*C.O.* 5, 289. *p.* 156.]

March 21.
Virginia.

421. Col. Jenings to the Council of Trade and Plantations. The intelligence I have receiv'd of the preparations made by the French privateers in the West Indies to attack this H.M. Colony and Dominion, oblige me to give your Lordps. this trouble both to lay before your Lordps. the grounds of our fears, and the means taken for preventing the danger, as far as the weakness of the country will admitt. There is lately arrived here from the West Indies a person of good credit, who was last Fall at the Island of St. Thomas, and there (as in a neutral port) had conference with several French privateers, who cruised last summer on the northern coast of America: they told him they would certainly attack Virginia this spring, and said they doubted not but to find good booty in negros, plate and other goods, they used great endeavors to engage him to be their pilote into James River, York and Rappahannock, for wch. Service they offerred him £100 sterl. in hand, besides a full share of what plunder they should gain, but he very honestly refused their proposals. This design of the privateers is also confirmed by other persons taken prisoners by them, who heard the Captain's discourse of the expectations they had of great booty in this country, and how easy it might be had, and we have also certain advice that one Hendrix, formerly an inhabitant of this country and Mr. of a ship, is now Commander of a Martinico privateer, and engaged with several other renegados in the same design, and 'tis probable that from them the French privateers have had their accounts of the men of best estates in the country, of which they have spoken to the prisoners with such assurance. It was very reasonable to conclude from the success of the privateers the two past summers that they would endeavour to keep the same post thereafter, and that they who had ventureed up to the mouths of our Rivers in sight of H.M. ships of war last summer, would use greater boldness when the men of war were gone. Upon this consideration it was that I represented to your Lordships the importance of having guardships here early in the Spring, to check the designs of those privateers, the want of wch. I'm afraid will prove of bad consequence to H.M. service and the trade of this country. The aforementioned advices, as they carry a great deal of probability, have occasioned a more general

1709.

consternation among the inhabitants of the country, especially the maritime countys than ever I have ever known; and it is certain that every man who reflects upon the openness of our rivers, the many convenient landings in the bay and rivers, wch. can neither be fortifyed nor otherwise defended by the power of the inhabitants, that it is easy for a privateer to land at any of those places in the night, and surprize people in their beds and before any number of men can be drawn together, return to their vessells, must conclude that there can be no safety against such attempts but by a naval force, and when that is wanting, cannot but have very just apprehensions of danger from an enemy, whose attacks will be sudden, and are the better prepared by being conducted by men so well acquainted with all our rivers and inletts. In order to allay the fears of the people, and provide as far as possible for the defence of the country, I have by advice of the Council ordered the Militia to be in readiness, and caused the arms and ammunition sent hither by H.M. to be distributed among them. Look-outs are appointed for discovering the enemy's approach and great guns planted in convenient places along the Bay to alarm the country on their appearance. But because the privateers (who are generally small vessells) having such pilots as we understand they have, may, notwithstanding these precautions, come in either by night or day, and stand directly up into our rivers without being suspected by our look-outs, we thought it absolutely necessary to fitt out a vessell to cruise between the Capes and speak with all vessells inward bound, and have accordingly hyred and fitted out a briganteen of 10 guns and 80 men for that service, which being a very good sailor will be able to fight anyone of the small privateers, and in case of a superior force, will alarm the country before the enemy can land. It was with much unwillingness that the Council took a resolution so chargeable to the Queen's Revenue (out of which it must be at present defrayed) if such a preparation could have been at all avoided with safety or satisfaction to the country: and yet if it brings no other advantage than the quieting the apprehensions of danger, wch. the people had so universally conceived, and prevailing on them to apply themselves to prosecute their labour, and make the necessary preparations for their cropps, wch. they would not otherwise have done, I am perswaded the charge will be amply recompenced: and I hope your Lordships will believe that we have endeavored to do this with as little charge as possible, tho in a country so unprovided of all things necessary as this is, and even of men fitt for such a service, it has proved a matter of extraordinary difficulty. As the country in general are pleased with this preparation, I hope the next Assembly will reimburse the charge, to wch. I beg yr. Lordps. to be assured I shal use my best endeavors to dispose them, and I doubt not the rest of the Council will do the same, this vessel is hyred for 10 weeks, before wch. time I hope we shal have a man of war to defend us more effectually. It is a great misfortune to this Country to be left without those guards

1709.

wch. alone can protect the trade and defend the coast; and if what we have now so great reason to expect from the privateers should happen to us, it will be found that our loss, tho it may be first felt, will be but inconsiderable in comparison of what the Trade and H.M. Customs must unavoidably suffer. The privateers may land and kill some of the inhabitants, burn their plantations, destroy their stocks, and perhaps carry off their negros, wch. will be severe losses to particular persons; but if it be considered that not only on such an invasion, but upon every alarm whether real or not, the people must be drawn off from their labour, to defend the coast, and the slaves conveyed into a place of safety till the danger is over, to prevent their being taken or runing to the enemy, it must be granted that the cropps wch. should be produced by their labour will be exceedingly lessened, if not intirely ruined, and thereby the shipping disappointed of freight, the merchant of the returns of his commoditys, and H.M. of her customs, wch. might otherwise have been expected. It is very reasonable to believe we shal be much more infested with the French privateers than formerly, for since the interruption they have found in the Channell by the prudent disposition of the cruisers obliges them to come in greater numbers to America, so the posture of defence H.M. Islands in the West Indies are put into, and the men of war that attend there will force them to adventure into places where they expect less opposition tho they cannot hope for so considerable a profite, and there's no doubt this will be thought a country very fitt for their purpose from the experience they have already had, how ill our coasts have been guarded. As it is the peculiar happiness of the plantations that H.M. hath placed them under the immediate care of your Lordps., whose great experience in their particular circumstances enable you to judge what assistances and encouragements they want, as well for their defence, as to render them more beneficial to the Crown and trade of Great Britain, so it is (at the desire of H.M. Council) that I am more particularly to apply to your Lordships, that by your Lordships' prudent counsels, and interposition we may have such guardships appointed and continued here (wch. we are humbly of opinion cannot be less than one fourth-rate man of war and a tender of 8 or 10 guns) as may effectually protect the trade and defend the coast, and prevent those many inconveniencys to H.M. interest and service and the trade in general, which will unavoidably happen, if our safety and protection be not intended with the same vigilance as H.M. enemys use for our destruction. *Refers to letters and enclosures* Nov. 27, 1708. *q.v. Acknowledges* letters by way of New York. Persuant to your Lordships' instructions, [I] have caused the Acts *for ascertaining the coin,* and *for encouraging the trade to America* to be published; and shal take care that H.M. Instruction concerning the late Acts of Trade (July 3) be duly observed, and have by this conveyance sent to the Board of Ordnance an account of all the stores of war within this Colony *etc. Signed,* E. Jenings.

1709.

Endorsed, Recd. 3rd, Read 29th June, 1709. $3\frac{1}{2}$ *large pp.* [*C.O.* 5, 1316. *No.* 18; *and* 5, 1362. *pp.* 384-391.]

March 23. Boston. **422.** Lt. Governor Usher to the Council of Trade and Plantations. Repeats his complaints against Mr. Vaughan and Governor Dudley *etc.* [*See* C.S.P. 1706—1708.] *Signed*, John Usher. *Endorsed*, Recd. May 13, Read Dec. 12, 1709. *Addressed. Sealed. Holograph.* 1 *p.* [*C.O.* 5, 865. *No.* 33.]

March 24. Whitehall. **423.** Council of Trade and Plantations to the Queen. Representation upon the petition of George Gordon, Provost Marshal of Barbados. *See* Jan. 25 and June 9, 1709. [*C.O.* 29, 11. *pp.* 428-434.]

March 24. Craven House. **424.** Instructions for Col. Edward Tynte, Governor of North and South Carolina. He is to observe and inforce the Acts of Trade and Navigation; assist H.M. Collectors; see that in any action concerning H.M. duties or forfeitures, only native-born subjects of this Kingdom, Ireland or the Plantations be of the Jury: give notice to H.M. or the Lord High Treasurer, if any person dispose of any patent rights in lands in America to other than H.M. natural-born subjects of Great Britain or Ireland, without H.M. Order in Council first obtained; take care that all places of trust in the Courts of Law, or in what relates to the Treasury of Carolina be in the hands of H.M. native-born subjects of Great Britain, Ireland or the Plantations; correspond with H.M. Commissioners of Customs; grant their officers liberty of appeal *etc.* and moderate the Court fees on their behalf.

Additional Instructions: (1) You are constantly to transmit to us all Laws passed there as soon as possible for our approbation. (2) You are by and with the advice and consent of any 4 or more of our Deputies to adjourn, prorogue and dissolve the General Assembly, as often as you shall think requisite so to do. And that there may be no delay in the execution of Justice by the death or removall of any of our officers imploy'd in our Courts untill we can be advised thereof the first opportunity, you are to appoint others, and make choice of persons of known loyalty, experience, diligence, and fidelity, until you shall have our approbation of them, or nomination of others from hence. (3) You are particularly to enquire into ye affairs of Rebecca Cox, widdow, and see that she has justice done her, according to the merits of her cause. (4) You are with the assistance of Nathaniel Sale, our Receiver General, to inspect the accounts of —— Ashley, our late Receiver General, *etc.*, and transmit the balance due to us. (5) Whereas Landgrave Abel Ketelbey hath purchased 5000 acres of land of us, and paid to us £100 as ye purchase mony for the same, you are to order Col. Broughton, our Surveyor General to set out the same for him, for which you are to pass grants, reserving the quit-rent of 10/- per 1000 acres to us. (6) In case of your death or absence, and should there be no person on the place com-

1709.

missioned by the Palatine or the Lords Proprietors, our Deputies shall choose one of their number to be Governor until another shall be appointed by the Proprietors. (7) You are to take great care that the Indians be not abused, and justice be duly administred to them in our Courts, and that you endeavour your utmost to create a firm friendship with them, and to bring them over to your part for your better protection against the enemy, the neighbouring French and Spaniards, against whom you are to protect our Province, and we assure you of our utmost assistance for your security. (8) You are to transmit to us, as soon as you can conveniently get it handsomely transcribed, a full and exact account of our yearly rents, *etc.* (9) You are to take care that Mr. Wigginton, our Secretary, enters into a bond of £1000 conditioned that he shall safely keep the records and papers which shall be in his custody as Secretary, and deliver them safe and entire when demanded by their Lordships *etc.* (10) You are to inform yourself of what Acts are fit and proper to be passed for the benefit of trade, and the good and prosperity of the Province, for which you shall have all manner of encouragement from us. (11) You shall represent to us the state of the whale-fishing, and what further encouragement is proper and fitting for us to give to encrease the same. (12) You are to take particular care that no land whatsoever exceeding the number of 640 acres shall be sold to any person or persons whatsoever without a special warrant under the hand and seals of the Lord Palatine and four of us the Lords Proprietors be first produced to justify such sale. (13) You are to take care that it be made publick that all land which shall for the future be sold in South Carolina, the purchase mony thereof shall be according to the value of English sterling, and the quit-rents reserved for the said land shall be of the like value, and made payable at Charles Town, with such covenants as you our Governor and 4 more of the Council shall think fit. And for all lands sold in North Carolina, the purchase mony, and ye quit rents for the same, are to be of like value, and made payable at Chewan or at Bath Town. *Signed,* Craven, Palatine, Beaufort, M. Ashley, J. Colleton, J. Danson. [*C.O.* 5, 289. *pp.* 162-184.]

March 24. **425.** Patent from the Lords Proprietors of Carolina to Abel Ketelbey, for 1000 acres of land, *referred to in preceding. Same signatures. Latin.* [*C.O.* 5, 289. *pp.* 191, 192.]

March 24. Craven House. **426.** Warrant of the Lords Proprietors of Carolina to the Receiver General to pay Governor Tynte "270 pounds in peices of eight weighing 17dwt. 10 gr. at 6 shillings the peice." *Signed,* Craven, Palatine, Beaufort, M. Ashley, J. Colleton, J. Danson. By their Lordships' command, R. Skelton. [*C.O.* 5, 289. *p.* 187.]

March 24. Whitehall. **427.** W. Popple to Dr. Davenant. *Repeats* request for account of Naval Stores, by next week. *See* March 16. [*C.O.* 389, 20. *p.* 345.]

1709.
March 27.
Boston.

428. Mr. Bridger to the Council of Trade and Plantations. *Acknowledges* letters of July 7 and Dec. 29. The Act your Lordships ofer for the preservation of H.M. woods has no relation thereto, that Act prespects only pitch-pine, the mast tree is another speice, tho' both pine, *etc.* Altho' I proved by 3 wittnesses the cutting 6 large mast trees by Mr. Plaisted, yet was cast, the jury being all as guilty as he was, and therefore I was cast, and forever shall be, till an Act be passed in Great Britain for the preserving H.M. woods in the Plantations. Mr. Plaisted has this winter cut many masts above his contract. *Prays for orders. Proposes* to seize all masts of reserved dimensions, and that the proof lie upon the cutters, that they were cut on private lands. The frontiers extends somewhat more than 50 miles where the masts grow, and there is 70 odd saw-mills, and I have no assistance, *etc.* As to the wast made in H.M. woods I am still endeavouring to prevent, but not to effect. *Repeats* application for deputies and grant for expenses *etc.* The marchants here told me the premiums were not paid and that was the reason of the decrease of Naval Stores, and as soon as I recd. your Lordshipps' leter, acquainted them therewith, who answred twas of late, if soe. But be the cause what it will, the effect is very plaine, for this year in the whole fleet there is no more than 120 barrl. tar, 1890 barrll. pitch, 124 rozin, 1333 barrl. tirpentine. I can see the woolen manufacture here is increased very much and growing daily. But am in hopes that in peace the people will be more inclinable to the making pitch, tar, etc., for now there is a great number of soldiers employ[*ed*] by the Government, besides the frontiers that now are exposed to the ravages of the Indians will be than in safty, those parts producing good land, and most proper. I have made some progress in the raising hemp, and hope shall in a few years be able to give your Lordps. a good acct. thereof, *etc.* *Denies* his conniving at the cutting of mast-trees *etc.* *Signed,* J. Bridger. *Endorsed,* Recd. May 23, Read Dec. 9, 1709. 6¼ *pp.* [*C.O.* 5, 865. *No.* 28.]

March 28.
Whitehall.

429. Council of Trade and Plantations to Governor Lord Lovelace. Tho' the premium allowed by the Act of Parliament to importers of Naval Stores from the Plantations be a considerable incouragement to the importers, as likewise to the inhabitants, in the several Plantations, to apply themselves to the production of the said Stores there, yet that there may be nothing wanting whereby so good a work may be further incouraged and promoted, we desire your Lordp. will consult with the persons chiefly concerned and most knowing in these matters in the Provinces of New York and New Jersey, and then lett us know what you may have to propose upon this subject, particularly with regard to the making of pitch and tarr, and to the furnishing H.M. Navy and this Kingdom with masts. We further desire your Lordship to consider of a proper method for preserving the masts and timber in the woods, that are fit for the use of H.M. Royal Navy. *Enclose* Order in Council

1709.

repealing the Act *for preventing the corruption of currant coin* (March 3), which you are to cause to be published and entred in the Council Books as usual, and a paper containing some of the reasons, *etc.* [*C.O.* 5, 1121. *pp.* 363, 364.]

March 28. Whitehall. **430**. Same to Governor Dudley. Similar Instruction to above, relating to Naval Stores. [*C.O.* 5, 913. *pp.* 59, 60.]

March 29. Whitehall. **431**. Mr. Popple to Col. Jenings. *Encloses* letters to be forwarded to Col. Dudley and Col. Seymour. [*C.O.* 5, 1362. *p.* 361.]

March 29. Whitehall. **432**. Same to Mr. Corbin. *Encloses* dispatch to Col. Jenings to be forwarded by one of the men of war designed for Virginia, *etc.* [*C.O.* 5, 1362. *pp.* 361, 362.]

March 30. Whitehall. **433**. Council of Trade and Plantations to the Earl of Sunderland. The little white house adjoyning to our office (in which Sir John Stanley did live) was after the fire at Whitehall granted by his late Majesty King William for the use of this Office, and workmen were employed in fitting it up for that purpose. But the Earl of Albemarle having desired it of his said Majesty for Mr. Vanderesse, Paymaster of the Dutch troops, the said Vanderesse was put into possession thereof, and by that means it was lost to the Office. Our Secretary has served in this Office near upon 12 years, during 10 of the said years he never received on account of his salary more than four score pounds per annum clear; nor has he had during that time or since any fees or perquisites whatsoever. In consideration therefore of his service, which has been approved and accordingly certifyed by the former Commissioners, under different Commissions; and in regard the said house by being contiguous to the Office will be a considerable advantage in relation to the dispatch of our business, and a security to our books and papers in case of fire, we desire your Lopp. will please so to represent this matter to H.M. that she may be graciously pleased to order the said house for him and for the Secretary of this Commission for the time being. *Annexed,*

433. i. Certificates by former Commissions in favour of an increase of salary for Wm. Popple, jr. April 4, 1698, April 18, 1700. [*C.O.* 389, 36. *pp.* 390-393.]

March 31. St. James's. **434**. Order of Queen in Council. Boundary Commissioners to be appointed on the part of Virginia, *as proposed March* 14. *Signed,* John Povey. *Endorsed,* Recd. Read May 2, 1709. 1¾ *pp.* [*C.O.* 5, 1316. *No.* 14; *and* 5, 1362. *pp.* 363, 364.]

March 31. St. James's. **435**. Order of Queen in Council. Expenses of Virginian Boundary Commission to be paid out of H.M. Revenue. *Signed and endorsed as preceding.* 1¼ *pp.* [*C.O.* 5, 1316. *No.* 13; *and* 5, 1362. *pp.* 362, 363.]

1709.
March 31. **436**. Petty Expenses of the Board of Trade Xtmas, 1708—Lady-Day, 1709. *See* Journal of Council, under date. 3 *pp.* [*C.O.* 388, 76. *Nos.* 51-53; *and* 389, 36. *p.* 394.]

March 31. Whitehall. **437**. Council of Trade and Plantations to the Lord High Treasurer. Enclose preceding and request for salaries of Secretary *etc.* [*C.O.* 389, 36. *pp.* 395-398.]

March 31. Whitehall. **438**. W. Popple to Richard Savage. Desires accounts of imports of Naval Stores Christmas 1707—1708, *etc.* [*C.O.* 389, 20. *p.* 346.]

March 31. Whitehall. **439**. Orders of Queen in Council. Appointing Mark Hunkins and Thomas Packer to the Council of New Hampshire. *Signed,* John Povey. *Endorsed,* Recd. Read May 2, 1709. 2 *pp.* [*C.O.* 5, 865. *No.* 15; *and* 5, 913. *pp.* 64, 65; *and* 5, 11. *No.* 39.]

March 31. **440**. Address of the Assembly of New Jersey to the Queen. We are very sorry that this Address is occasioned by the unhandsome treatment we have met with in an Address made to your Majestie by ye Lieut. Governour and Council of your Majties. Province of New Jersey, in which your Majties. loyall subjects, ye Representatives of ye said Province, are accus'd of many great and heinous crimes, and among the rest of a design to throw of your Majties'. prerogative Royall, and involve your Dominions in this part of ye world, and your good subjects in them in confusion, thereby to obtain their wicked purposes. We think ourselves under ye greatest obligation to your Majestie for your justice in appointing H.E. John Lord Lovelace to enquire into ye matters of fact alledged in that address, and to lay them before your Matie., which we make no question he will do with much truth and justice, and set ye difference between ye Gentlemen of your Maties. Council and this house in its true light. We cannot accuse ourselves either of doing or designing anything prejudiciall to your Maties.' service, and have said nothing we know of either in our Remonstrance or our Reply to ye Lord Cornbury's Answer but what was true, and what we can make out by unquestionable proof, having us'd all ye caution we were capable of to inform ourselves in ye severall matters of fact there related, and had not ye Addressors given too much way to ye resentments of ye Lord Cornbury, we perswade ourselves they would not have appear'd so violent in ye justification of a person whose conduct did not entitle him to so great a regard as they have paid him. The intemperate language they treat us with, as it does not become persons in their stations, so wee could wish they had forborn that unaccountable heat so prejudiciall to your Maties.' service, and join'd with us in such measures as might have conduc'd to ye publick good, but that was what they have (by this address) fully evinct we had no reason to expect from them, and we have but too much reason to fear they will make no scruple of sacrificing the publick peace of the Province to their private resentments whenever any

1709.

opportunity is given them. This Address of the Lieut.-Governour and Council was rejected in publick Council, and is no Act of Council, but sign'd by the said Lieut. Governour and the rest of the Addressors at different times and in different places being carried privately about for that end, and what is worse not only without that consideration publick procedures of that kind required but by many of them as we have reason to believe without so much as reading of it, as the Lieut. Governour himself has acknowledged he did. We believe the safetie and welfare of your Maties.' Plantations in America is not ye meanest part of your Royall care, nor of ye least concern to ye advantage and flourishing condition of your Maties.' Kingdom of Great Brittain, and that the suggesting to your Matie. that all or any of them are inclin'd to throw of your prerogative Royall is an endeavour to render your Maties. loyall subjects in the Plantations suspected to your Matie., and of alienating your affections from them, which must be of the last consequence to your Maties.' affairs. We think our proceedings cannot justly be charg'd with the consequences they deduce, such we very much abhorr or any other measures that looks like want of duty, affection or loyalty to your Maties.' Royall person and Government, and hope that nothing will induce your Matie. to believe the contrary either of us or of any other of your Plantations in America. We cannot tell what reason those Gentlemen had to tell your Matie. that you would be disappointed in your expectations of a Revenue, if some dislike of the Assembly's proceedings were not shewn by your Majestie, when a considerable support for your Maties. Government was voted long before that address was made, and it was altogether the fault of ye Lord Cornbury and ye addressors that it was not rais'd, and this House is so far from making their resentments any obstruction to your Maties.' service that in honour to your Majestie's Commission they have given the Lieut. Governour £200 for one year, though he is a person that has least deserved it of them, and an office no ways usefull to your Maties.' subjects here; and which we are not able to support, and though we are one of the poorest of your Majesty's Provinces in these parts, have paid that regard to that office which New York tho' abundantly better able has not done.

When H.E. represents the matter of fact to your Matie., we doubt not you will perceive how much your Matie. and your good subjects here have been abused by ye misrepresentations of ye addressors, and how unfit those men are who have so grossly endeavour'd to mislead your Matie. to be of your Maties.' Council here, and who we fear will create differences and animosities among your loyall subjects, which will wholly obstruct all endeavours for your service or the good of this Province, we humbly submit to your Majesties' consideration. We heartily pray that God may continue your Majesty a blessing to your subjects, *etc.* *Signed*, By order of the House, Thomas Gordon, Speaker. March 31, 1709. Some of the Members of this house being of the people called Quakers doe consent to the matter and substance above written, but make some exceptions to the

1709.

stile. *Endorsed,* transmitted by Mr. Cockeril to the Earl of Stamford, Recd. Nov. 14, 1709. 3 *pp.* [*C.O.* 5, 970. *No.* 81.]

March 31. St. James's. **441.** Order of Queen in Council. Referring enclosed to the Council of Trade and Plantations to examine and report upon. *Signed,* William Blathwayt. *Endorsed,* Recd. 5th, Read 6th April, 1709. ¾ *p.* *Enclosed,*

441. i. Alexander Skene to the Queen. Petitions against Governor Crowe's encroachments upon his office as Secretary *etc.* *See* Acts of Privy Council, II. *No.* 1082. *Copy.* 3 *pp.*

441. ii. Copy of H.M. Warrant appointing Alexander Skene Secretary of Barbados, *etc.* April, 1702. 3½ *pp.* [*C.O.* 28, 12. *Nos.* 17, 17. i., ii.; *and* 29, 11. *pp.* 435-443.]

March 31. St. James's. **442.** Order of Queen in Council. Timothy Salter is to be appointed to the Council of Barbados. *Cf.* Dec. 3, 1708. *Signed,* John Povey. *Endorsed,* Recd. Read May 2, 1709. 1¾ *pp.* [*C.O.* 28, 12. *No.* 18; *and* 29, 11. *pp.* 447-449.]

March 31. St. James's. **443.** Order of Queen in Council. Referring following to the Council of Trade and Plantations to examine and report upon. *Signed,* William Blathwayt. *Endorsed,* Recd. 4th, Read 6th April, 1709. 1¼ *pp.* *Enclosed,*

443. i. Address and Petition of Members of Assembly, Freeholders, merchants *etc.* of Antigua to the Queen. *Express* loyalty and delight in H.M. victories, and the Union. *Complain* that they are insulted and tyrannized over by Governor Parke. He has been every way wanting in making provision for the defence of the Island. In times of the most imminent danger his conduct looked more like a design to surrender up than defend the same. In all his administration he has exercised the highest acts of injustice and violence, and trampled upon our Laws, *etc. etc.* *Signed,* Robt. Duning, Will. Pearne, Giles Watkins, John Paynter, Hopefor Bendall, John Rose, Jno. Otto Bayer, Bastiaen Otto Bayer, H. Givehene, Richd. Couchran, Henry Symes, Gervas Turton, Saml. Frye, Charles Loyd, Wm. Lavington, Thomas Hanth, Antho. Brown, Row. Williams, Bar. Tankard, Sa. Watkins, Th. Oesterman, Jacob Morgon, Allen Gilbert, W. Glanuch, Joshua Jones, Edwd. Chester jr., Jos. Adams, Andrew Murray. The Gent: of the Assembly:—Natha. Crump, Wm. Thomas, Dan. Mackinen, John Duer, John Leighfoot, Fran. Carlile, Sam. Phillips, Edwd. Perrie, Bas. Looby, John Fry, Ja. Reade, Edw. Chester, Charles Callahane, John Barnes, Thomas Williams, Isaac Hortford. *Copy.* 3 *pp.*

443. ii. Articles of complaint exhibited against Governor Parke. (1) Soon after his arrival in Antigua (to pave the way for his injustice and tyranny *etc.*) he did

1709.

frequently and publickly declare that he had assurance from my Lord High Treasurer and the Dutchess of Marlborough that he should be supported and protected, let him do what he would, *etc.* (2) He did menace and otherways endeaver to scare witnesses from testifying the truth in the case of Edward Chester, senr., under prosecution for the death of Mr. Thomas, Lawyer, and that because the testimonys tended clearly to prove that he dyed a natural death, and did attempt by his presence and all the artifices he was master of to oblige the Coroner's Inquest to find that the said Lawyer dyed by a blow upon his head with a tankard given to him by Chester, and that contrary to a train of the clearest evidences imaginable, and did threaten and ill use the Justices who bailed Chester, tho' done after it was found by the Coroner's Inquest that the said Lawyer dyed a natural death, and did immediately turn out the Depty. Provost Marshall for shewing Chester some civilitys, and all this at a time when the General had vowed and threatned the ruine of Chester; upon the most groundless displeasure. (3) He endeavoured to compel several persons to give him an account by what title they held their estates, and that by ways unheard of and abhorred in law, and particularly he commanded Col. Christopher Codrington, immediately upon a precept signed by the said Col. Parke, to give him an account by vertue of what authority he did hold the Island of Barbuda, tho' Codrington's father and uncle had been in the undisturbed possession of the said Island for two and twenty years and upwards, and claimed the same by several Patents past in due fform. (4) He has several times employed parties of armed soldiers not only in the business properly belonging to the Constables, Custom-house Officers and other civil officers, but likewise in the highest acts of violence and injustice, particularly in ejecting persons out of their freeholds and possessions, and in order to it breaking open doors and windows. (5) When the Assembly most humbly represented this as a grievance like to produce such dismal melancholy consequences that in duty to their country they could not sit silent under, and prayed H.E. to redress such past disorders, *etc.*, and prevent the like for the future, he told them they had nothing to do with it, which obliged the Assembly in their next Message to assert that undoubted privilege of their House to inquire into and represent grievances to him and his Council for redress. He in answer flatly declared he knew no privileges they had, and in a very few days after dissolved them for no other reason but insisting upon their privileges. (6) He issued out writs for the election of a new Assembly by which the persons to be elected were to be Freeholders of the Division or Town where elected, contrary to former usage, grounded upon his and former Generals' Commissions, whereby the Electors were to be Freeholders, but no such qualification required in the Elected. (7) He did take upon himself to determine the validity of elections of Members of the Assembly, particularly of Capt. Edward Perrie, whom he refused to admit to take the oaths, and admitted one James Nesbit in his room, tho' the Assembly had determined the Election in favour of Capt. Perrie, which raised that just jealousy in the Assembly of their constitution being invaded in so high a degree, that without having their privileges asserted, they could not esteem themselves the Representatives of the People, nor discharge the high trust reposed in them, and in a few days that Assembly was dissolved, without having it in their power (by reason of the aforesaid obstructions given them by the Genl.) to provide for the payment of the publick debts, or any other way to take care of the credit, security and welfare of the Island, as they were well-disposed to have done. He hath given the same obstructions to the present Assembly called in a month or thereabouts of the last mentioned dissolution and continued in his obstinate denyal of the just and undoubted privileges of the Assembly, by which means, and for that no Assembly has been called for these 9 weeks last past, this Colony is left destitute of suitable provision in its greatest concerns to this day. (8) By menaces, promises, and all other artifices used by him and his emissaries, he hath endeavoured these two last elections of Assemblymen to overawe, impeach and hinder the ffreedom of Elections, and hath frequently declared by high and severe resentments against a great many persons who voted for such men whom they thought disposed and capable faithfully to serve their Queen and country. (9) He hath been all along guilty of most unsoldier-like neglect in time of warr, and in the neighbourhood of a most powerfull and watchfull enemy (nay, even when there was a Fleet of French men of warr at Martinique, and advice of a descent threatned on this Island thence). Insomuch that the Militia had quite forgot the use of their arms, in which they had been brought to a great perfection by the care of former Generals. At that very time of imminent danger, he not only left the Fort of Monk's Hill (which has been fortifyed at an immense charge to the Island, for the securing the wives and children and most valuable effects at the first appearing of an enemy) destitute of men, ammunition, and provisions, but likewise did throw the great guns from off the walls of an outwork of the said Fortification, which otherwise would have been of great service for the commanding

1709.

of Falmouth Harbour, and two great roads that lead into the heart of the Country, without the advice of his Council, and at that time was wholly taken up in intrenching and fortifying the town of St. Johns, a place not to be made tenable with any charge, altho' the whole strength of the Island had been employ'd upon it for any length of time, much less in so short a time as we had reason to depend upon, when we expected the enemy every day, and that by reason of the neighbouring hills which command it, and of the great extent of its trenches not to be garnished with treble the number of men that was then upon or can ever be muster'd in said Island. He did then not only order the aforementioned guns to be thrown off the outwork of Monk's Hill, and almost all the other great guns from all the other landing-places in the Island to be drawn to St. Johns, but likewise ordered all the troops both regular and militia upon an alarm to march to St. Johns, the standing guards not excepted, so that by his conduct the landing was to have been yielded to the enemy without the least dispute, and all this not only without the advice or consent of any Council, but likewise contrary to the opinion of a Council of Officers, and contrary to the constant practice of former times, experience having taught us to receive them at landing if possible, and give them the warmest reception we can, and when out-done bye numbers or otherwise, to retreat to the next Pass, and there make a stand, and by byways and ambuscades to annoy and continually harrass the enemy, and at last after losing the Island ffoot by ffoot, that the bulk of the troops retreat to Monk's Hill by such paths as would be hard for the enemy to find out, which might be easily made through the woods, whilst drawing all the men and great guns to St. Johns looks like a design of surrendring the Island, and every person so shut up within the trenches of St. Johns at first push. (10) He has frequently and publickly declared in the Court of Chancery, where he sits as Chancellor, that he would be guided in making his decrees by no law or precedent whatsoever, but that either to the merits of the cause or the proofs, he will judge as he thinks reasonable and equitable, if it were against all Law and the constant current of all the precedents of the High Court of Chancery of England, so that he is rather a Law-giver than a Judge, and that he hath made good his declarations, his arbitrary, illegal and unjust decrees will sufficiently make out, tho' he has pronounced but very few, and that he hath drawn almost all business into Chancery, where there is not the least colour of equity, almost to the total exterminating of the Common Law, and eluding the fruits of all judgments, especially considering that our executions upon judgments at Common Law are very dilatory, and that he has granted frequently genl. injunctions to hinder and stop persons from prosecuting any action whatsoever at Common Law, tho' the bill upon which the injunction has been granted has been only for one particular single matter, and commonly granted injunctions before any bill filed, and has bought in bonds for a third part or half the value of the debt, when the obligee has been barr'd his remedy at Common Law by injunction. All which proceedings of his as Chanceller have been matter of the greatest horrour to all men of judgment, when they consider that every man's estate, nay and person must by those means be subjected to such a man's unparalleled and unjustifiable passions and resentments, and that insatiable avarice which has so strongly and clearly discovered itself in all his administration. (11) He has several times threatned to turn out Judges of the Common Law, particularly Samuel Watkins, Chief Justice of the Court of Common Pleas, for both the precincts of this Island, and that upon notoriously false and forged complaints, but truly for not being applicable to all his purposes, tho' never so contrary to Law and Justice. He has by unprecedented and unwarrantable mandamus's commanded the said Chief Justice to sign such process as was directly contrary to the Laws of England and this Island. (12) He has been manifestly guilty of the breach of his oath pursuant to the Acts of Trade, in that after he had information that a considerable quantity of brandy had been imported contrary to the directions and purport of the said Acts, and had according to his laudable custom clapt partyes of armed soldiers upon the doors and other passages of the house or cellar where the brandy was lodg'd, he afterwards in few hours ordered the soldiers to be taken off, and by agreement suffer'd the same to be carry'd away by Edwd. Chester, senr., owner of the brandy, and after obliged him to allow him in accompt £150 currt. mony for his ⅓rd of the seizure as Chief Governor. (13) He has ordered several unwarrantable seizures to be made, where no offence has been committed, upon full assurance that he had made such Judges of the Admiralty as would not fail to condemn them, with or without cause, and other seizures made, which never have been so much as informed against, much less condemned, particularly 16 firkins of butter belonging to John Barbotaine of St. Johns, merchant. (14) By an order of his directed to the officer appointed for collecting of powder from the vessels arriving in this Island, he did exempt the sloops belonging to it from the paymt. of powder, tho' the said duty of powder was by an Act of the Island

1709.

indifferently upon all vessels arriving, and then upon his groundless displeasure conceived against the people of this Island, did by a contrary order command the said officer to exact the same of all vessels without exception, which is the most barefaced and bold dispensing with and trampling upon Laws that ever was attempted by any subject. (15) He has heightn'd all his own ffees, some of them very near double of what was exacted by any former Genls., and that not only without the consent of, but also without so much as communicating the same to the Council of this Island. (16) Upon the arrival of the brigantine *Anne*, Sept. 1707, which in a violent storm was overset, and a wreck for several days, and forced into this Island, tho' design'd for Barbadoes, he told Mr. Chester senr. who, (upon application to him from the Master as Friend and Correspondent of the owners), waited upon H.E. to have a new register, the former being lost in the storm, that it lay in his power to seize her, and refused at that time to grant a register, but told him to come again, which he did, and then he told Chester that it was an act of favor, and that he must have a present, and thereupon granted a register in some few days, after that did ask Chester in presence of Capt. John Rock for what he had promised him, and accordingly had 10 barrils of flower. (17) He has made Justices of the Peace of the meanest and the lowest rank and most wretched character, who dare not do their duty, when it is the most clear and unquestionable without the Genl's. direction and approval. (18) He hath given the command of one of his privateer sloops to one John Ham, a man notoriously known to be guilty of piracy, and all manner of villanys, and particularly of a most barbarous and treacherous murder of 5 or 6 Spaniards in cold blood, whom he had invited to an entertainment at his own house, since which time the said Ham never durst appear in the Leeward Islands, or anywhere but in such places where Justice could not reach him, till the arrival of our present Genl., who as it is universally reported has given him his pardon. (19) He has frequently and publickly declared his implacable malice against Antigua, and particularly once at the house of Col. Fra. Rogers did declare that were it not for a few Friends, he would send the Island to the Devil, so that it must be obvious to every common understanding that the Island must be in a very wretched condition, especially if we should be attackt by an enemy, which we are threatn'd with almost every year. (20) He did publickly swear at the house of Col. John Lucy Blackman, that if he knew any person was going home to complain of him to the Queen, he would clap them into a dungeon, and

1709.

there they should perish, and there was more ways to kill a dog than one, and repeated the same upon several other occasions. (21) He has exacted a tenth part of all prizes taken by privat men of warr, for granting them commissions, and refused to grant commissions to several persons unless they had agreed to pay accordingly, *etc.* (22) It has been his common practice to ramble at night up and down the streets of St. Johns and from house to house, list'ning and eavesdropping, and that in different disguises, tho' very well known in all of them, and so exposed to all the world, bringing thereby his person and authority in contempt. In those his night rambles, he did alway go privatly armed, with a small ponyard and case of pocket pistols, well knowing that his scandalous purposes must expose him to very notable dangers. *Signed, as preceding,* reading Glanville for *Glanuch,* and Trant for *Hanth,* and omitting Givehene. *Copy.* 15½ *pp.*

443. iii. Petition of Merchants trading to Antigua to the Queen. Pray that *above* complaints may be heard. "Some of us have had fresh advices from our correspondents that since the sending home the *preceding* articles, Governor Parke's administration has been insupportable in every part of it, and particularly that he has made no manner of provision for the security of the Island against the attempts of the common enimy, which has encouraged them to land with a design to plunder the Plantations upon the sea-coast, tho' hitherto insuccessfully, and that they have been more than ever insulted and oppressed by him in their persons and estates, and that he has given such discouragement to the trade of the said Island as must very much sink if not totally ruin the same. Petitioners have good reason to believe that they should all have had letters from their friends to the same purpose, had not some late practices of the Governour render'd the conveyance of letters and packet-boats much suspected, *etc.* *Signed,* Richd. Norris *and* 13 others. *Copy.* 3 *pp.* [*C.O.* 152, 8. *Nos.* 12, 12.i.-iii.; *and* 153, 10. *pp* 315-343.]

March 31.
St. James's.

444. Order of Queen in Council. Upon the appeal of Sir Charles Orby, Bart., and Dame Anne Hopegood, his wife, relict of Sir W. Beeston, the Council of Trade and Plantations are to propose two persons fitly qualifyed to be Councillors in Jamaica, who may make up a sufficient number for hearing this cause on appeal to the Governor and Council, 3 of the present Councillors being disabled for hearing it as being Factors in the African Trade, and as having been Judges in the Grand Court in the said cause, *etc.* *The case is set out,* Acts of Privy Council, II. *No.* 1067. *Signed,* William Blathwayt. *Endorsed,* Recd. Read April 4, 1709. 3¼ *pp.* [*C.O.* 137, 8. *No.* 34; *and* 138, 12. *pp.* 381-384.]

1709.
April 1.
London.

445. Mr. Dummer to Mr. Popple. 'Tis my duty to acquaint you what comes to hand touching the interest of trade in the West Indies; I can only lament our misfortune in this, and I doubt many other cases of practice, that we so easily runn into popular laws, quite against the nature of the thing, or at least against the most publick and honest interest of the Nation, with the Spanyard in this particular. This copy is from my correspondent at Jamaica, and is of the same tenour that all other men write which are fair traders and void of rapacious and violent enterprizes, the mischeifs of which are well enough described to satisfy you or anybody what is likely to come to pass by that pernicious law, a law that manifestly carries a legion of evils in the practice of it. *Signed*, E. Dummer. *Endorsed*, Recd. 2nd, Read 6th April, 1709. *Addressed*. *Postmark*. $\frac{3}{4}$ *p*. *Enclosed*,

445. i. Wm. Bignall to [? *Mr. Dummer*] Kingston, Jan. 17, 1708. Trade in generall seems at a stand, and nothing on foot but privateering. We are promised a convoy for the coast as soon as the packet or any advice from England arrives. Gandy and severall have bought negroes for the trade to help of the woollens which are now run downe in price so much by the privateering that we expect no profit, all we hope for is to sell at low prizes that the goods may not perrish on our hands. I was in hopes the account you gave me that the privateers were forbid to cruise on the coast would have had some good effect; but since yt., is come in Morgan in his privateering sloop from the coast, where he took severall canoes with money under the shoar, as they were going aboard the traders then under convoy of the *Roebuck*, and since that has taken a Spanish vessell as he says with a good summ of money on board, but whither Spanish or English vessell is uncertain, for he has brought in nothing either Spanyard or anybody to condemn the prize, and whither the vessell was within 5 leagues of the shoar, is never enquired after; at this rate the privateers may follow anyone of our own ships out of port, and take away what he sees good and burn the ship, and we never the wiser. It is the opinion of every one this cursed trade will breed so many pirates, that when peace comes we shall be in more danger from them than wee are now from the enemy, their captains have no command, every man is allowed a vote, and so most votes carry the vessell where they please, if the captain was to have the sole command it would be much better for keeping the men in subjection, and that might easily be, if the Governor would so order it, but they have so much incouragement, I beleive we shall find it very difficult to get men for the traders when we have a convoy. *Signed*, Wm. Bignall. *Copy*. $\frac{3}{4}$ *p*. [*C.O.* 137, 8. *Nos.* 35, 35. i.]

1709.
April 2.
St. James's.
446. H.M. Warrant granting Thomas Hodges, Attorney General of Barbadoes, leave of absence for 6 months for the settling some extraordinary affairs, and for the recovery of his health, on his appointing a Deputy approved by the Governor. *Countersigned*, Sunderland. [*C.O.* 5, 210. *p.* 142.]

April 2.
St. James's.
447. The Queen to Governor Handasyd. You are forthwith to transmit a true state of Capt. Samuel Jones' case, and stop proceedings in the mean time. *etc.* *Countersigned*, Sunderland. (A.P.C. II. *pp.* 549, 550. *q.v.*) [*C.O.* 5, 210. *pp.* 143, 144.]

April 4.
Virginia.
448. John Crofts to John Graves. The taking of Uxuma, Providence and ye Isle of Thera is confirmed, and that the French and Spaniards did most barbarously and unhumanly treat and abuse ye poor inhabitants, beating them very cruelly, stripping many stark naked. Read Elding's Misres. they whipt to death, and severall others they miserably tormented, and are now setled at the Isle of Thera, Providence, etc., so at present they are actually in possession of those Islands, and have already taken about 17 sayl of sloops *etc.* that were bound to Jamaica, and coming from thence to Carolina, New York, Bermuda, *etc.*, and doubtless there are many more that know not yet of. The ill and fatall consequence of ye enemy possessing these Islands time will manifest. I wish with all my heart there may be speedy, effectuall care taken to suppress them, if not there will be no trading from the northern parts, Carolina, nor Bermuda to Jamaica without running very great hazard of being taken. I am of opinion that two sixth-rate frigatts well-man'd will be of sufficient force to repell ye enemy thence, and if there was but incouragement and notice thereof given, doubtless severall persons from all parts would venture to go there to inhabit, and once more settle those Islands, especially if there was any prospect of living there hereafter in security. I must and do beleive, if ye great considerable advantage of our keeping those Islands was fairly and truly stated, and ye damage we might reasonably expect to sustein by ye loss of them but well and fully represented to our most gracious and good Queen, yt. H.M. would immediately take them under her particular care and protection, and forthwith send a suitable and necessary strength to regain them again. Doubtless there are many in London etc. that will joyn with you to demonstrate the great importance of so weighty an affair. Certainly the traders to Jamaica, Carolina, New York, New England, and all the Northern parts, as also Bermuda, will be very forward to assist you in a proper Representation, and in the *Loyall Johnson* of Carolina the Hon. Coll. Willm. Rhett, with whom I have often had some discourse concerning the consequence of the enemys being setled in ye Bahama Islands, and he seems to be much troubled thereat, and believes that if they be not speedily repulsed that these American parts will be very great sufferers thereby, and be in great want of salt, the French having also taken Turks Islands,

1709.

etc. etc. Signed, John Crofts. *Endorsed,* Recd. 28th, Read 29th June, 1709. *Copy.* 1½ *pp.* [*C.O.* 5, 1264. *No.* 71.]

April 5. Whitehall. **449.** The Earl of Sunderland to the Council of Trade and Plantations. Encloses following for their report. *Signed,* Sunderland. *Endorsed,* Recd. Read April 6, 1709. 1 *p. Enclosed,*

449. i. Sir Wm. Hodges, Bart., to the Queen. The Marquis de Preu, a Fleming born, hath served the Crown of Spain for many years, and being now old, and disgusted, hath bought the Governmt. of Cartagena, *etc. Prays* for a pass for a Spanish ship from Cadiz, to carry the Governor and Dep. Governor with Spanish goods thither, and to return by way of the Havana, laden with products of the Spanish West Indies. Such a voyage would turn to the advantage of trade to H.M. subjects, for not a French man is to be concerned in ship nor cargo. 1 *p.* [*C.O.* 388, 12. *Nos.* 2, 2. i.; *and* 389, 20. *pp.* 347, 348.]

April 6. [6. currtt.] **450.** Wm. Penn to the Council of Trade and Plantations. Honorable Friends, I presume to beg the favour of a coppy of all orders since 1685 from the respective Committes of Trade and Plantations for settling boundarys between the Province and Territorys of Pennsylvania, and the Province of Maryland, especially that 1699, or 1700, and any since sent to those Provinces (if any were) and it will very much engage, Your respectfll. Friend, *Signed,* Wm. Penn. *Endorsed,* Recd. Read April 6, 1709. *Holograph.* 1 *p.* [*C.O.* 5, 1264. *No.* 64; *and* 5, 1292. *p.* 134.]

April 6. Jamaica. **451.** Governor Handasyd to the Council of Trade and Plantations. I here enclose a duplicate of my last, which I hope is before this come into your hands, and shall likewise give your Lops. an account of what has offer'd since, that is come to my knowledge. The Assembly is still sitting, and I hope will have finished in less than 14 days, most of the Bills being read twice. Things seem to go much smoother with me and them, than have done since I have been in the Government, which I think does all proceed from my passing the two first Bills; They have voted to reimburse the Treasury £2,500, and renew the Quartering Act, the Additionall Duty Bill, and severall other private Acts, which I hope to have ready by the first man of war that sails or packett boat, with the Minutes of the Councill and Assembly, which I dare not send by any of these private ships for fear of miscarrying. I writt to your Lops. in mine by the last packett boat, to desire the relief of me and my Regiment since wee have been here these 8 years, and our constitutions are quite worn out, but if it is to the disadvantage of H.M. service, I had rather we should all have our graves here, than insist on anything that is not for the good of the service, but must further begg of your Lops. that if a peace should be made, neither me nor my Regiment may suffer by being absent, since it is of so old a Corps. Our trading vessells are not yet returned from the coast, trade there being very indifferent. H.M.S. *Portland*, Captain Hutchins Commander, has lately been engaged with 2 French ships off Porto Bell, one of 50 guns, formerly an English man of war called the *Coventry*, the other a larger ship, but had but between 30 and 40 guns, the former of which he took after a dispute with them both of about 8 hours; they say she has a considerable quantity of mony aboard, having sold her cargo not long before at Porto Bell, being ships from Guinea. The *Portland* took in her 270 men, besides the wounded, which he put a shore. The first Captain of the French ship was killed, and the second mortally wounded. I had on board the *Portland* 50 soldiers of H.M. Regiment, of which I am apprehensive I have lost a share in this engagement. There are in the whole squadron under Mr. Wager 300 and odd soldiers of my Regiment, which makes the duty hard on those that remain ashore. The other men of war have taken since the last account I gave your Lops. a snow and 3 sloops, and one of our privateers has taken a French privateer, one Spanish trading sloop, and retaken an English sloop which they burnt. Both our men of war and privateers have lately been very successfull, and done considerable damages to the enemy in these parts. The Almirantte Fleet is still at La Vera Cruz, as is the Vice-Admirall of galleons that escaped the last year at Carthagene, and neither dare venture to Havanna for fear of our men of war and privateers, that are very diligent, but they daily expect a French convoy. They are very rich, and if they should escape us here, I hope care will be taken to intercept them before they get home. The Island is very healthy and likewise the men of war, but are in great want of men. I send your Lops. herewith the state of a case signed by the Attorney Generall and the other Councill for the Queen, Mr. Totterdale, in relation to a judgment that passed our last Grand Court, against the Navall Officer, upon his seizing a Spanish brigantine that was brought in here by one Scrivener, who had no commission, nor has had any since he was some time ago complained of for committing roguish tricks upon the Spanish coast, such a judgement so opposite to the rules of reason I have never known given before, and is an encouragement to all privateers and other vessells to turn pirates. The Jury brought in the damages to the captors to amount to about £170 more than the goods were sold for, of which £100 odd was for the vessell, tho' she sunk in the harbour. And I have since disbursed to the Navall Officer that £170 out of my own pockett, that he may not suffer who acted by my order and the advice of the Attorney Genll. Therefore desire your Lops. will recommend it to the Lord High Admirall, that I may have his directions how I shall act in the like cases for the future. I am now to request your Lops.' favour in the behalf of a poor man a Serjeant in H.M. Regiment under my command, that now lies under the sentence of death: His Father came out of Holland with me, and was

1709.

a Serjeant in my Company, when King William landed in the West of England, his brother and himself carried arms, the father and brother were killed in the wars of Ireland against the French and Irish, this man has been in this Regiment ever since he was a child, and has always behaved himself well in every respect: but it was his misfortune that a drunken Fellow, coming into company where he was, told him neither he nor any of his cloth dare fight one of his country, upon which the Serjeant answered that he wore the Queen's cloth, and was not to be affronted in that manner; this fellow then fetch'd a hanger and told the Serjeant he dared not to draw a sword against him, and upon that they both went out without the door, where after some blows given the Serjeant by this fellow, the Serjeant gave him a wound of which he immediatly died: and notwithstanding all that could be said by the Bench upon the triall in the behalf of the Serjeant, the Jury being managed by the prosecutors according to their desire, the Serjeant was brought in guilty of murther; but upon the request of the Chief Justice and the rest of the Judges, as your Lops. will see by the enclosed signed by them, I have given him a reprieve, and hope through your Lops.' interest he may have H.M. gracious pardon; I have desired the same favour of the Secretary of State, and I hope he will assist your Lops. in the saving this poor man's life since his father and brother as well as himself have been such faithfull servants to their country. I have order'd Capt. Gardner to wait on your Lops. and receive your directions in this matter. *Signed,* Tho. Handasyd. *Endorsed,* Recd. June 14th, Read July 11th, 1709. $5\frac{3}{4}$ *pp.* *Enclosed,*

451. i. Address from the Chief Justice and Judges of Jamaica to Governor Handasyd, for the reprieve of serjeant Thomas Bradshaw (*see supra*) March 3, $170\frac{8}{9}$. *Signed,* Peter Heywood, Jo. Bonner, William Careless, James Archbould, Samuel Vassall, Ed. Pennant. 1 *p.*

451 ii. Proceedings in the case against William Norris the Naval Officer of Jamaica, upon his seizing a Spanish brigantine, taken by Benjamin Scrivener without any Commission from H.M. *etc.* *Signed,* Ro. Hotchkyn, Hugh Totterdell. *Endorsed as letter.* 2 *pp.* [*C.O.* 137, 8. *Nos.* 43, 43. i., ii.; *and* (*without enclosures*) 138, 12. *pp.* 409-415.]

April 6. Whitehall. **452.** Earl of Sunderland to the Council of Trade and Plantations. *Encloses* Governor Handasyd's recommendation of Messrs. Broderick and Oldfield to be of the Council of Jamaica. I must add to what the Governor writes in Mr. Broderick's behalf, that I have received a very good character both of his capacity and zeal for H.M. service, and that he is of a family distinguishable by their loyalty and good affection to the Government, and for which have a particular regard, so that I hope you will have so much for him as to let him be the first you shall recommend as usual for that employment. *Signed,* Sunderland. *Endorsed,* Recd. 13th, Read 14th April, 1709. 1 *p.* *Enclosed,*

1709.

452. i. Governor Handasyd to the Earl of Sunderland, Jamaica, Aug. 6, 1708. *Concludes*:—I understand that Sir Bartholomew Gracedieu and others are endeavouring to put in one Peter Beckford, who as well as the whole family of them has been constantly a disturbance of the tranquility of H.M. subjects ever since I have been in the Government; but what most sticks with me is an old gentleman of 60 years of age was murther'd by him, who was found dead with his sword in his scabbard, and by the interest that was made he was brought in not guilty. His brother has likewise killed a man, and came off too without damage. This I think fit to acquaint your Lordship of, that such hardships may not be done, so much to the disadvantage of H.M. service. *Copy.* 1½ *pp.* [*C.O.* 137, 8. *Nos.* 36, 36.i.; *and* 138, 12. *pp.* 389-391.]

April 8.
Whitehall.

453. The Council of Trade and Plantations to the Queen. *In reply* to Order in Council, March 31, *represent that* by a letter from Governor Handasyd, Oct. 27, 1708, we were informed that severall Members of the Councill being Factors for the African Company, and thereby disabled from sitting as Judges in any of these Courts, there wanted a sufficient number of Counsellors duly quallifyed to make a Councill for hearing Appeals. We forthwith writ to the Governor to admonish such Members to forbear to act any longer as Factors or Agents for the said Company, and if they refused to comply therewith, that then he should return to us the names of the persons so refusing in order to our laying that matter before your Majesty for your pleasure to which letter we have yet received no answer. Therefore in obedience to your Majesty's forementioned order in Councill we do most humbly offer that your royal pleasure be signifyed to the said Governor to require all such Members of the Councill there as are Factors or Agents for the said African Company or for any other person or persons, for the sale or disposal of Negroes, that they forthwith quit or resign such Factorage or Agency, and if they shall refuse or neglect so to do, that in such case he forthwith remove the person or persons for refusing or neglecting from the said Councill; and whereas the number of Counsellors who are Factors or Agents for the said Company does not, as wee are informed, exceed three persons (nor do we know that any others of the Councill are otherwise employed as Factors or Agents to any other persons for the sale or disposal of Negroes) we therefore further humbly propose that the said Governor be at the same time impowered by your Majesty's royall letters mandatory to swear into the said Councill, in the room of such person or persons who shall be removed, Francis Oldfeild, John Cossly and John Carver Esqs., or so many of them as shall compleat the full number of 12 Counsellors, they being persons now resident within that Island, having good estates there, and as wee have been credibly informed, duly qualifyed for that trust.

1709.

This we humbly apprehend to be agreeable to the true intent and meaning of the Act of the 9th and 10th of his late Majesty for settling the trade to Africa, it being thereby enacted that no Judge of any Court in any of your Majesties Colonies or Plantations in America, shall be a Factor or Agent for the said African Company, or any other person or persons for the sale or disposal of any Negroes. And by this method as any failure of Justice in such case will for the future be prevented there, so will the present constitution of the Councill, as to the number of 12 Counsellors be preserv'd, which regulation or restriction of the number of 12 having severall years past been settled throughout your Majesties said Colonies and Plantations, we are humbly of opinion it will be for your Majesty's service that the same be still punctually observed. And if your Majesty shall be graciously pleased to approve what we have herein before proposed to the end the said African Company may not receive any prejudice from a want of their having Factors or Agents there to perform the services of the said Company in the room of such of their present Factors or Agents as shall so quit or resign that trust as aforesaid, we do further humbly offer that notice may be given hereof to the said Company that they may take care to constitute and appoint any other person or persons not disqualifyed by the said Act to be their Factors or Agents in the room of such persons as shall so quit and resign as aforesaid. [*C.O.* 138, 12. *pp.* 384-388.]

April 9. Craven House.

454. Instructions for Edward Hyrne, Naval Officer of S. Carolina. *Signed*, Craven, Palatine; Beaufort, M. Ashley, J. Colleton, J. Danson. [*C.O.* 5, 289. *pp.* 194, 195.]

April 9. Craven House.

455. Lords Proprietors of Carolina to the Deputies and Council of South Carolina. We being very unwilling to let any opportunity slip whereby we might signify to you the earnest desire we have of your welfare, and the general good and prosperity of our Province of Carolina, we now acquaint you that we have sent you a Governor and some new commissioned officers, *etc.*, and earnestly recommend them to your care and friendship *etc.* We have been informed of your unwillingness to admit a Deputy who was nominated for Mr. Blake by his mother, his guardian, wch. we do assure you is very irregular, and is in some measure openly declaring yourselves against the Laws of this H.M. Kingdom, for by the Law here every mother has a right precedent to all others to have the guardianship of her son, and is thereby impowered to do all acts that can anyways tend to his benefit. As therefore Mrs. Blake has appointed one of our number here to sign such instruments, rules and orders as we at this Board shall think proper for the better government of our Province, so she has an undoubted and legall right to appoint such Deputy as she shall think convenient to represent the person of her son during his minority in your Councils and Assemblies in Carolina. We therefore strictly require of you Gentlemen, that you constantly for the

1709.

future admit of such Deputy for Mr. Blake as shall be constituted by Mrs. Blake his guardian under her hand and seal. And whereas the Proprietorship that Col. Trott lays claim to is contested, several persons pretending a right to the same upon which account a cause is now depending in H.M. Court of Chancery here, least you should fall into any error or mistake by not duly and carefully considering the Laws that are now in force, and to which all H.M. subjects are obliged to pay obedience, we think it necessary to inform you that, whatsoever Acts are done by any persons that are parties to the suit during the continuance of the said suits, are illegal, void and of no effect, and are highly liable to censure here. We therefore command you not to receive or countenance any person whatsoever claiming a right to that Proprietorship, nor any Deputy for ye same, until you shall receive information from us, that all suits and controversies relating thereunto are ceased and in a judicial way decided and determined. We earnestly desire your endeavours that such Laws and usages of our Province as are for the advantage of the Goverment thereof be put in execution, and in a particular manner we recommend to you the due observation of that Law, wherein it is enacted that no Law either already passed, or that shall hereafter be passed, shall be in force for any longer term than two years, unless such Law is within that time confirmed under the hands and seals of ye Palatine and 4 more of the Lords Proprietors. You are also to take care that no Deputies, Commrs., or any other person whatsoever make or sign any grant or sale of lands exceeding the number of 640 acres, without a warrant or licence under our hands and seals first obtained in that behalf. We think it necessary the Surveyors of our said Province should give good security to us, or to our Governor and Council for the performance of their trust and the due execution of their Office, and that they shall follow such directions only in admeasuring, surveying and setting out of land, as we shall think fit and proper to give to our Governor and Council from time to time, or such as we shall appoint by warrant, or any other instrument under our hands and seal. We think it highly expedient for the good of our Province that in the General Assemblies you would seriously consider of the best and most proper methods for improving all the products and manufactures of our Province (particularly that of rice and silk), and as we have always had a good opinion of your fidelity and inclination to our service, so we hope you will every day improve the same by your continual endeavours the good of our Province, and doing us all the friendly offices, which may be within your power, *etc.* *Signed,* Craven, Palatine; Beaufort, M. Ashley, J. Colleton, J. Danson. [*C.O.* 5, 289. *pp.* 196-198.]

April 9.
Craven
House.

456. Same to the Governor, Deputies and Assembly of South Carolina. We having taken into our consideration the present condition of our Province of Carolina, as well in regard to the administration of ye Government and Justice there, as in relation

1709.

to the commerce thereof, and being fully perswaded that nothing can more effectually contribute to ye quiet and welfare of our said Province, than the appointing knowing and fitt persons to enquire into the state and condition of ye same and administer Justice accordingly, have appointed Col. Edwd. Tynte Governor *and other officers whose commissions are given in this volume.* We do earnestly require of you Gentlemen that you would constantly in your General Assemblies inspect into the trade of our Province, and prepare laws for our confirmation, whereby all profitable and advantageous trade may be more improved and extended, and such as are hurtfull and prejudicial may be rectifyed or discouraged, and by these means we shall no way doubt but our endeavours seconded by your care and prudence, will effectually establish the good of our Province and the peace and satisfaction of all the inhabitants under our care. We do assure you of our friendship and bid you heartily farewell, *etc. Signed as preceding.* [*C.O.* 5, 289. *pp.* 199, 200.]

April 9.
St. James's.

457. H.M. Warrant for Timothy Salter to be of the Council in Barbados. *Countersigned,* Sunderland. [*C.O.* 5, 210. *p.* 145.]

April 12.
Portsmouth in New England.

458. Mr. Plaisted to the Council of Trade and Plantations. The present warr with the French and Indians from Port Royall doth very affect these Provinces, and the more for that H.M. subjects of New York have constantly held a neutralitie with those her enemies, while wee are dayly subject to theire barbarous insults, and were it not for the extraordinary care our Governor, Col. Dudley, and his particular regard to H.M. service herein, by sending out scouts into the woods, and a sufficient force to cover my workmen and repell the enemy, I could never make that provision for ye yearly loading of the ships which I have done this thirteen or forteen years. *etc. Signed,* Ichabod Plaisted. *Endorsed,* Recd. June 20, Read Dec. 9, 1709. *Addressed.* 1 *p.* [*C.O.* 5, 865. *No.* 25.]

April 12.
Whitehall.

459. The Earl of Sunderland to the Council of Trade and Plantations. *Encloses following,* which should have been laid before H.M. at the same time with the rest. *Signed,* Sunderland. *Endorsed,* Recd. Read April 13, 1709. ½ *p. Enclosed,*

459. i. Additional Articles of complaint against Governor Parke [*see* March 31 *supra*]. (23) He did offer to Anthony Hodges, Lt. Governor of Montserat, £300 sterling to cancell and destroy Letters Patents which had been granted of a certain Plantation in that Island to Sir Michael Cole, and were in the custody of Hodges, to the end that Parke might escheat the said Plantation. Hodges refusing, Parke did the day after threaten to turn him out of his Government. (24) After the departure of Mr. Neavin from Antego with the Petition to H.M. against him, Sept. 18, 1708, Parke between 8 and 9 p.m. did with his sword drawn enter the house

1709.

of Edwd. Chester, senr., of St. Johns, attended with Capt. Newell with his sword drawn, and 8 Granadiers with their musketts cock'd. Parke as he came to the door of Chester's house, commanded the Granadiers to fire, but as the door opened he forbad them. He commanded the Granadiers to secure all the company then in Chester's house, and the Provost Marshall to carry them all to gaol, and did himself throw down and strike one Peter Scheurman, calling him Rascall. Four of the company were forthwith carryed to gaol, vizt. Capt. Bastian Otto Bayer, Capt. Francis Carlisle, Richard Smith, and Peter Scheurman, and in a little time after Thomas Gatewood a J.P., came to Chester's house, and with Thomas Morris, J.P., did by the direction of Parke order the Provost Marshall to carry other 5 persons of the company to goal, which was done, vizt. Major John Tomlinson, Capt. Charles Kallahan, John Swettenham, merchant, Wm. Hamilton, and Wm. Dikes. Thomas Morris, Thomas Gatewood, and Michael Ayon, the Provost Marshall have signed and sealed a writing, dated Sept. 18, 1708, importing a conviction as their view of the said 9 persons of a riotous Assembly, and that they have caused them to be committed to goal untill they should pay the undermentioned sumes opposite to their names, which amount to £2900. Morris and Gatewood have signed and sealed another paper of the same date, commanding the Provost Marshall to apprehend the said 9 persons and to convey them to goal, and detaine them till they shall have payd the said fines. The said record of conviction and warrant of commitment were not fram'd till the day after the said pretended riotous Assembly, and the 4 first mentioned of the said 9 persons were sent to goal before Justice Gatewood came to the house of Chester. Scheurman is by profession a taylor, and not worth one half the sume imposed on him as a fine. The said 9 persons during the whole time demeaned themselves in a very quiett and peaceable manner, without offering the least disturbance or offence to any person whatsoever. They were confin'd 13 days in a hot loathsome goal, were denyed the common favour of confinement in a cooler apartment at their own expence, and of being admitted to bayle on any security whatsoever, to the great indangering of their lives. Tho' now at liberty by permission or connivance, they are in dayly fears of being again imprisoned, and of having their estates seized on account of the aforesaid fines *etc.* (25) Parke hath threaten'd to cause whip the best man's wife in Antego at the cart's a—— that should trouble herself with him, and hath declared his resolution to cause whip publickly even men of substance, if they should speak any disrespectfull words

1709.

of his Friend, and by such usage bring them to rebell and then seize on their estates. *List of fines referred to supra.* 1½ *pp.* [*C.O.* 152, 8. *Nos.* 13, 13.i.; *and* 153, 10. *pp.* 344-349.]

April 13. Admiralty Office. **460.** Mr. Burchett to Mr. Popple. *Asks* if there are any Heads of Enquiry for Newfoundland. *Signed,* J. Burchett. *Endorsed,* Recd. Read April 14, 1709. *Addressed.* 1 *p.* [*C.O.* 194, 4. *No.* 89; *and* 195, 5. *p.* 85.]

April 14. Whitehall. **461.** Mr. Popple to Mr. Burchett. *Reply to preceding.* While we were in possession of St. Johns, the Council of Trade and Plantations thought it necessary that several enquiries relating to the Trade and Fishery shou'd be yearly given to the Commodore of the Convoy, but now their Lordps. not knowing in what condition or circumstances our settlements there may be in, in regard to the accounts received of St. Johns having been surprised by the French, they do not see what proper queries can be framed. However, they think it will be of service that the Commodore do transmit to their Lordps. the best accounts he can get of the Trade of this year, and of the state he shall find and leave the Island in; which you will please to lay before my Lord High Admiral for his Lordp's. directions therein. [*C.O.* 195, 5. *pp.* 85, 86.]

April 14. **462.** Copy of Patent of Landgrave Edward Jukes (Carolina). *Signed,* Craven, Palatine; Craven, for Lord Carteret, M. Ashley, M. Ashley for Jos. Blake, J. Colleton, J. Danson. *Latin.* [*C.O.* 5, 289. *pp.* 202, 203.]

April 14. Whitehall. **463.** Council of Trade and Plantations to the Earl of Sunderland. *Reply to April* 5. *Recommend* that a pass be given to the Spanish Governor and ship to Cartagena only, for reasons given *Journal of Council,* April 11, *q.v.* [*C.O.* 389, 20. *pp.* 363-365.]

April 14. Craven House. **464.** Lords Proprietors of Carolina to Governor Tynte. Warrant to dispose of the barony with several thousand acres of land adjacent to Cowper River to purchasers from Peter Colleton, who is inclined to dispose thereof. *Signed,* Craven, Palatine; Beaufort, M. Ashley, J. Colleton, J. Danson. [*C.O.* 5, 289. *p.* 201.]

April 15. Whitehall. **465.** The Earl of Sunderland to the Council of Trade and Plantations. Encloses following to be added to the other papers now under consideration [*March* 31, *April* 12.] *Signed,* Sunderland. *Endorsed,* Recd. Read April 18, 1708. [*sic*] 1 *p.* *Enclosed,*

465. i. Merchants of Bristol trading to Antigua to the Queen. Complain of the tyranny of Governor Parke, support articles of March 31, and pray for redress. 39 *signatures.* 1 *p.* [*C.O.* 152, 8. *Nos.* 14, 14.i.; *and* 153, 10. *pp.* 349-351.]

1709.

April 16.
St. James's.

466. Order of Queen in Council. In pursuance of Representation of March 31, *q.v.*, Messrs. Oldfield, Cossley and Carver are to be appointed to the Council of Jamaica if the 3 members referred to refuse to resign their agencies for the African Company *etc.* *Set out,* A.P.C.,II., *No.* 1067. *Signed,* John Povey. *Endorsed,* Recd. 20th, Read 27th June, 1709. 3 *pp.* [*C.O.* 137, 8. *No.* 42; *and* 138, 12. *pp.* 406-409.]

April 18.
Whitehall.

467. Council of Trade and Plantations to the Queen. Governor Crowe's treatment of Alexander Skene is an encroachment of H.M. Patent, *etc.* *Set out,* A.P.C.,II., *No.* 1082. *q.v.* [*C.O.* 29, 11. *pp.* 444-447.]

April 19.
Craven House.

468. Warrant of the Lords Proprietors of Carolina to Thomas Broughton, Surveyor General of South Carolina, to admeasure out 3000 acres of land for Governor Tynte at a yearly quit-rent of 30/*s.* *Signed,* Craven, Palatine; Beaufort, M. Ashley, J. Colleton, J. Danson. [*C.O.* 5, 289. *p.* 206.]

April 19.
Craven House.

469. Warrant of the Lords Proprietors of Carolina to Governor Tynte, to cause grants of 2000 acres to be issued to Edward Jukes at a quit-rent of 20/-*s.*, he intending to carry over with him into our said Province a considerable number of Planters, Handicrafts, Artificers, and other persons at his own proper cost, *etc.* *Signed as preceding.* [*C.O.* 5, 289. *p.* 207.]

April 19.
Whitehall.

470. Council of Trade and Plantations to Mr. Secretary Boyle. Melchior Gilles, one of the poor Lutherans (*see* C.S.P., 1708) having had leave to stay behind on account of his wife's illness, who being now dead, he is desirous to proceed with his children on board of a merchant ship now ready to sail for New York. *Pray* for an Order to the Navy Board accordingly. [*C.O.* 5, 1084. *No.* 41; *and* 5, 1121. *p.* 366.]

April 20.
St. James's.

471. The Queen to the Governor of Jamaica. Directions as to Councillors in accordance with Representation of March 31. *q.v.* *Countersigned,* Sunderland. [*C.O.* 5, 210. *pp.* 146-148.]

April 20.
Bermuda.

472. Deposition of Capt. Edward Holmes. Late an inhabitant of the Bahama Islands and one of the Lords' Deputies there, he did about Aug. 27 last arrive with his own sloop in Harbor Island under that Government with his wife and some of his family, when a vessell under French colours fired a valley of small armes upon him, and at the same time another valley was fired from the shore, and imediately the captain of the said vessell, whose name was Martell (a Frenchman) with a canoe and armed men and his Lieutenant in another canoe likewise came on board in a violent manner, and took hold of deponent's wife and stript her, and the Quarter-Master presented a loaded pistoll att her breast, thereby to force her to discover deponent's wealth, and searcht her very haire of her head, and threatned to fling her overboard. Then Capt. Martell ordered

1709.

them to bee carried on shore and there tyed deponent's wife fast to a tree, and one of his men struck her with a sword, deponent being then bound on shore. Next morning hee was carryed on board his own vessell and his hands seized to the mast, and the quarter-master belonging to Capt. Martell with his naked cutlass beat him on his back, as was guessed, 500 blows, untill all thought him dead, the quarter-master still continueing to push the deponent in the face with the point of his sword upon every groane hee made. And then deponent comeing to himself Capt. Martell's gang lighted eight peeces of match about 3 inches long and tyed them betweene his fingers and burnt them about half an hour by the glass, to force him to confess his wealth, and afterwards they tyed him with his back to the scuppers and brought lighted matches to tye to his toes, and swore they would burne his privy members, and so they cruelly extorted deponent's discovery of what he had and took itt from him, and so turned him and his wife and child on shore, striped, about 8 leagues from their habitation in great necessity, and many other cruelties and barbarities Capt. Martell and his gang did then and there comitt. *Signed*, Edwd. Holmes. *Endorsed*, Recd. 12th, Read 15th Sept., 1709. Recd. with duplicate of Col. Bennet's letter of March 1st, 170$\frac{8}{9}$. 1 *p.* [*C.O.* 5, 1264. *No.* 74.]

Aprill 21. Whitehall. **473.** Council of Trade and Plantations to Governor Handasyd. Since our letter of March 10 (a duplicate whereof is here inclosed) we have received yours of Aug. 21 and Feb. 1. When the two Laws you mention *for quieting possessions* and *for settling fees*, together with the Minutes of Councill relating thereto, shall arrive, we will take the same into consideration and lay them before H.M. *etc.* We have received the account of prizes taken by H.M. ships of war, and should have been glad to have known the respective value of each of the said prizes, for without that the names of the prizes only is of little information to us. You will do well therefore to give us as good an account as you can of the value of all prizes that shall be taken and brought into Jamaica for the future. We are glad to hear that Commodore Wager is again going out in quest of some ships coming from Old France to Hispaniola, *etc.* and we are in good hopes he will meet with success. We cannot but commend as well your having given Instructions to all the privateers of Jamaica to cruize between La Vera Cruz and the Havanna, *etc. as Feb.* 1, as your readiness and care in supplying H.M. ships of war with men. You will see by the copy of Mr. Burchet's letter which we sent you Feb. 24, that care is taken for supplying the ships of war with men for the future. We are likewise glad to understand that the *Jersy* man of war has made a recapture of the Guinea ship *etc.*, (Feb. 1). The Lord High Admiral having had the opinion of the Judge of the Admiralty here in relation to the briganteen which was seized by a vessell without a commission, you will undoubtedly receive his Lordship's directions therein. We observe what you write in relation to privateers, but as we writ fully to you upon that subject Aug. 23, 1708 (a copy whereof is here inclosed) wee refer you thereunto, and have only to add that if the Captains of privateers were to have the sole command of the ships, it might be one means in our opinion to prevent the ill practices too frequently committed by them, whereas, as we have been informed, every seaman on board a privateer having a vote, it is not in the Captain's power to prevent their committing irregularities when the majority is against him. And therefore you will do well in all commissions to privateers to insert a clause giving the Captain the sole power of the ship, and restraining the seamen from having anything to do in the command thereof. You will receive from the Earl of Sunderland H.M. pleasure in relation to Counsellors that are Factors to the African Company and others concerned in the Negroe trade, *etc.* We shall expect the account of the affairs of the Island you promise us by the packet. [*C.O.* 138, 12. *pp.* 394-396.]

April 28. St. James's. **474**. Order of Queen in Council. Referring following to the Council of Trade and Plantations, for their report. *Signed*, Chris. Musgrave. *Endorsed*, Recd. 5th, Read 6th May, 1709. $\frac{3}{4}$ *p.* *Enclosed*,

474. i. Richard Lloyd to the Queen. Your petitioner is seized of a Plantation in Jamaica. One of his negroe slaves (by name Sherry) was in June, 1708, accused upon suspicion of poysoning a Negro child belonging to a neighbour's Plantation. Although the proofs against him were but light and barely presumptive, yet the two Justices and three freeholders who are Judges in such cases, ordered him to be transported. Sherry is a wheelwright and carpenter, and of very great use in petitioner's Plantation. *Prays* H.M. pardon for Sherry. *Copy.* 1 *p.* [*C.O.* 137, 8. *Nos.* 39, 39.i.; *and* 138, 12. *pp.* 397-399.]

April 28. Whitehall. **475**. The Earl of Sunderland to Governor Lord Lovelace. H.M. designing to fitt out an expedition for the reduction of Canada and Newfoundland, according to some proposals made by Coll. Vetch, to whom H.M. has given Instructions at length, with orders to communicate them to your Lordp., as also to deliver a letter from her Majesty, enjoining you to assist in the said expedition after the manner prescribed, *etc.* I send you by another ship the inclosed copy of Col. Vetch's Instructions, to which H.M. expects that you should show a ready and punctual complyance so farr forth as they relate to you *etc.* In case you should receive the inclosed Instructions before the arrival of Col. Vetch, it is H.M. pleasure that immediately upon receipt of them you dispatch an expresse to the severall Governours of Pensilvania and Connecticut to meet you with all expedition at New York, and that you consult with them on the most proper and effectuall methods for executing the inclosed In-

1709.

structions. And because it may be necessary to inform you of severall particulars, which Coll. Vetch will give you an account of, if he arrive soon enough, H.M. is pleased that I should give you a further light into the intended expedition, than what you receive from the inclosed Instructions, and which will be unnecessary, if Col. Vetch arrive soon enough to transact this affair with you; and I must signify to you H.M. pleasure that you pay the same obedience to any directions hereafter mentioned as if they were a part of the aforesaid Instructions.

It is resolved to attack at the same time both Quebeck and Montreal, the first by sea and the second over the lake from Albany, with a body of 1500 men, who are to be raised and armed as you will see in the inclosed Instructions. H.M. is now fitting out her Commander in cheif of the said expedition with a squadron of ships, and five regiments of the regular troops, who are to be at Boston by the middle of May, and there to be joined with 1200 of the best men of New England and Road Island; they are then to sail with all expedition to attack Quebeck, being provided with Enginiers, bomb-vessels, and all sorts of artillery for such an enterprise. At the same time the 1500 men from Albany, under the command of one whom you shall appoint, are to make the best of their way to Montreal, which place they are to attack, and if possible reduce to H.M. obedience.

You are to concert with the Governors of Pennsylvania and Connecticut the most easy and expeditious way of providing at Albany by the middle of May, or sooner, 3 months provisions for your respective Quotas of men, which provisions you are to lodge in a large wooden storehouse, as you will see in the aforesaid Instructions, to which I must add that you are immediately to order one half of the regular Companys with as many of the country troops as you shall think sufficient to cover the workmen that shall be employed on the said storehouse, and to guard the stores that are to be laid in it. In your negotiations with the Five Nations and River Indians you are to employ such as you think have the most influence on them, and in particular Col. Schyler, unlesse you have any objections against him, who as H.M. has been informed, is very well qualifyed for her service, and particularly known in these parts, for which reason he is likewise thought a very proper person to be employed in the expedition, and to be consulted with on the best methods of corresponding by Indian messengers overland with the expedition which is to go by sea to Quebeck, with which methods you are to acquaint H.M. Commander in cheif by letters as soon as he arrives at Boston. You are likewise to find out some of the most sensible Indians that you can confide in, whom you are immediately to send both to Quebeck and Montreal to bring the best accounts they can get of the numbers, fortifications, stores and provisions that are in the said places, for which you are to reward them as they deserve, and transmit to the Commander in cheif of the expeditions such informations as they or any other persons shall be able to give you of the

1709.

said places. You are also to acquaint the Commander of the troops which are to march from Albany, that he is to obey all such orders as he shall receive from time to time from H.M. aforesaid Commander in cheif of the expedition. And in case the abovementioned 1500 men cannot make themselves masters of Montreal for any want of force or artillery, they shall endeavour to block that up, so as to cutt off all communication between that place and Quebeck, and if H.M. troops can make themselves masters of Quebeck, the Commander in cheif will with all possible expedition send a reinforcement of the troops with him to assist in the reduction of Montreal. The pacquet in which this goes being directed in absence of Col. Vetch to your Lordship, as soon as it comes to your hands, you are to forward with all diligence the dispatches for the other Governours. *Signed,* Sunderland. $6\frac{1}{4}$ *pp.* [*C.O.* 5, 1091. *No.* 15.]

April 28. **476**. Same to Governor Dudley. H.M. having resolved to putt in execution severall proposals laid before her by Col. Vetch for driving the French out of the North Continent of America and Newfoundland did some time since dispatch Col. Vetch in the ship *Dragon,* with full Instructions to her Governours in those parts, in all things relating to the said expedition, as also with some officers and stores for the assistance of the troops to be raised in their respective Governments. But H.M. not judging it safe to trust the successe of the whole expedition to the uncertainty that may attend a single ship in so long a voyage, and considering that the success of the whole enterprise will in a great measure depend upon the readiness of the abovementioned troops to perform their part in the intended expedition, to the end that her Governours above-mentioned may not fail of timely notice to make such preparations as are enjoined them in their respective Governments, H.M. has thought fitt to dispatch another vessell *with enclosed Instructions etc., as in preceding, paragraph* 2. You are therefore as soon as this comes to your hands to send to the Governour of Rhode Island to meet you at Boston, that you may together concert the methods you shall judge most proper for executing H.M. Orders for having in readinesse the 1200 men to be furnished out of your Government and that of Rhode Island according to your usuall proportions, and to be at Boston by the middle of May with 3 months provisions and ships to transport them with able pilots (of which Capt. Southweck in the country galley to be one), and H.M. expects yt. these troops shall be ready with all necessarys to embark on two days warning, as soon as the forces and fleet from hence shall arrive. It is also H.M. pleasure that you cause to be built 10 large flat-bottom boats, such as may carry 60 men each, and which are to be ready for the service of the expedition against the middle of May, and because it may be of the greatest importance to the success of this Expedition, that persons be employed who know the Country and places to be attacked by H.M. forces. You are therefore to take all possible pains to find out such

1709.

persons as have been prisoners formerly at Quebeck or Montreal, and also such of the Indians, to the number of 30 or 40, who you shall judge best acquainted with the country, and who may be made use of by the Commanders of H.M. forces in this Expedition, as they shall find occasion for them, and you are to inform yourself in as particular a manner as you can of the state of St. Johns and Placentia in Newfoundland, in reference to their strength, situation, the number of their garrisons and quantity of provisions, and nature of the ground about them, that you may be able upon the arrival of the expedition to give the Commander in Chief of H.M. forces such advice and information of the state of these places, as may be of use to him in the execution of H.M. Orders. *Signed,* Sunderland. 5¼ *pp.* [*C.O.* 5, 898. *No.* 1.]

[April 28.] **477.** Abstract of H.M. Instructions (above) to the Governors of New York and Boston. 4 *pp.* [*C.O.* 5, 9. *No.* 79.]

April 28. Whitehall. **478.** The Earl of Sunderland to the Governor of Rhode Island. H.M. designing an expedition for the reducing of Canada, and having sent the necessary orders about the part you are to act to the Governour of New England, I am ordered by H.M. to signify to you her pleasure, that as soon as this comes to your hands, you repair to Boston, there to concert with the aforesaid Govr. of New England, the proper methods for performing the service H.M. expects, and requires of you on that occasion, not doubting of your ready complyance with this. *Signed,* Sunderland. 1 *p.*

Mem. Similar letters to the Governors of Pensilvania and Connecticut. [*C.O.* 5, 10. *No.* 222.]

April 28. Craven House. **479.** Commission from the Lords Proprietors of Carolina to John Lawson to be Surveyor General for North Carolina. *Signed,* Craven, Palatine; Beaufort, Craven for the Lord Carteret, M. Ashley, J. Colleton, J. Danson, M. Ashley for Jos. Blake. [*C.O.* 5, 289. *p.* 210.]

April 28. Craven House. **480.** Instructions for John Lawson (*supra*). *Signed as preceding.* [*C.O.* 5, 289. *pp.* 211, 212.]

April 28. St. James's. **481.** Order of Queen in Council. Referring Acts of Pennsylvania, 1705, to the Council of Trade and Plantations to examine and report upon. *Signed,* Edward Southwell. *Endorsed,* Recd. Read May 5, 1709. 1 *p.* [*C.O.* 5, 1264. *No.* 67; *and* 5, 1292. *pp.* 135, 136.]

April 28. St. James's. **482.** Order of Queen in Council. Alexander Skene is to be restored to his offices and fees *etc.* *Cf.* April 18, *and* A.P.C., II. *No.* 1082. *Signed,* John Povey. *Endorsed,* Recd. 15th, Read 25th Oct., 1709. 1 *p.* [*C.O.* 28, 12. *No.* 40; *and* 29, 12. *p.* 28.]

1709.
May 1.
Jamaica.

483. Governor Handasyd to the Council of Trade and Plantations. *Encloses duplicate of last letter.* The Assembly has pass'd 12 private and publick Acts, which I am getting ready with all speed, and shall send with the Minutes of the Councill and Assembly by the first man of war or packet boat, not daring to venture them by this ship. I have prorogued the Assembly from April 18 to May 30, at which time I design to prorogue them to March 1, 1710, believing I shall not get a better. A small Spanish sloop came in here about a fortnight ago from Porto Prince for exchange of prisoners, and gives an account that the ships are not yet sail'd from La Vera Cruz, nor the galleon from Carthagene to Havanna. The Island is at present pretty healthy.

P.S. I am informed by the Spaniards that came in the Flag of Truce, that there was in the ship lately taken by the *Portland* 400,000 peices of eight registered, besides what was not registered. *Signed,* Tho. Handasyd. *Endorsed,* Recd. 21st, Read 25th July, 1709. 1½ *pp.* [*C.O.* 137, 8. *No.* 44; *and* 138, 12. *pp.* 419, 420.]

May 2. **484**. W. Nivine to the Council of Trade and Plantations. Encloses following. *Signed,* Will. Nivine. *Endorsed,* Recd. Read May 2, 1709. 1 *p. Enclosed,*

484. i. Abstract of Petition and Articles against Governor Parke. (*See* March 31, April 12). *Same endorsement.* 3¾ *closely written pp.*

484. ii. Abstract of depositions in support of *preceding. Same endorsement.* 10¼ *closely written pp.*

484. iii. Abstract of the Minutes of Assembly of Antegoa, Nov. 28, 1707—June 14, 1708. *Same endorsement.* 6¾ *pp.*

484. iv. Analysis of evidence in support of No. 1. *Same endorsement.* 2 *pp.*

484. v. Remarks [*by Mr. Nivine*] upon the preceding, and a proposal for the suspension of Governor Parke, *etc.* *Endorsed,* Recd. May 2, 1709. 2 *pp.*

484. vi. Draft of bond proposed to be entered into by 4 merchants in £500 each, for the indemnification of Col. Parke if acquitted. *Endorsed as preceding.* 2 *pp.*

484. vii. Deposition of John Barnes, in support of Article I. (March 31). *Copy.* 1 *p.*

484. viii. Depositions of James Atkinson, Mariner, as to pressure put upon him by the Governor to give evidence against Mr. Chester, *etc.* *Copy.* 5 *pp.*

484. ix. Copy of Col. Parke's Order to Col. Codrington to produce his title to Barbouda, etc. March 18, 1707. *Signed,* Daniel Parke. *Copy.* 1½ *pp.*

484. x. Deposition of Elizabeth Hastings, Aug. 10, 1708, that she was turned out of her house near St. Johns, Antigua, by soldiers, upon orders from the Governor, *etc.* *Copy.* 2½ *pp.*

484. xi. Deposition of Geffrey Duncomb, Antigua, July 30,

1708, as to a guard of grenadiers placed over some brandy imported by Edward Chester, and removed after an interview with the Governor. *Copy.* $1\frac{1}{2}$ *pp.*

484. xii. Copy of a decree made by Governor Parke, Antigua, June 8, 1708, on the petition of Anne, wife of John Vincent, for maintenance. Edwd. Chester to pay her annuity according to a bond entered into with her before her marriage. *Signed,* Daniel Parke. 2 *pp.*

484. xiii. Copy of a decree made by Governor Parke, Antigua, June 14, 1708, in the case of Robert Latimer *v.* Samuel Watkins, James Field, and John and Katherine Greenway. Watkins to pay £43 as an executor of Leonard Waller, but only as far as he had assets. Nothing decreed against Waller's relict, Katherine Greenway. *Signed,* Daniel Parke. 4 *pp.*

484. xiv. Copy of an injunction granted by Governor Parke, St. Kitts, May 20, 1708. Giles Watkins of Antegoa is not to proceed *v.* Thomas Morris, until the Court of Chancery shall have given their decree in the case Morris *v.* Watkins. *Signed,* Daniel Parke. 1 *p.*

484. xv. Deposition of Richard Sharpe, Antigua, Aug. 6, 1708. The sloop *Great Britain,* belonging to Edward Chester, senr., was condemned by a Court of Admiralty, St. Kitts. Governor Parke granted deponent leave to appeal to England, but deterred Dr. Rowland Garnet and Mr. Burreau by threats from providing the necessary security. *Signed,* Richard Sharpe. *Copy.* 1 *p.*

484. xv(a). Copy of Richard Sharpe's appeal (*see preceding*). 1 *p.*

484. xvi. Governor Parke's warrant to Samuel Watkins to remit the powder duty to vessels owned by the inhabitants of Antigua any former act or order to the contrary notwithstanding. *Signed,* Daniel Parke, May 24, 1707. *Copy.* 1 *p.*

484. xvii. Deposition of Samuel Watkins, Antigua, Aug. 25, 1708. In June last past, Governor Parke said, "were it not for some few friends I have upon your Island, I would send your Island to the Devil." *Signed,* Sa. Watkins. *Copy.* 1 *p.*

484. xviii. Deposition of Samuel Philips, Antigua, Aug. 26, 1708. Confirms *Articles* 20 and 25, March 31 and April 12. *q.v.* *Signed,* Samuel Philips. *Copy.* 1 *p.*

484. xix. Deposition of Geffrey Duncomb, Antigua, July 30, 1708. Confirms Article 25, April 12, *q.v.* *Copy.* 1 *p.*

484. xx. Deposition of Capt. Joseph Hall, Commander of the *Virgin Queen,* privateer. June 13, 1708 at St. Kitts, Governor Parke exacted from him $\frac{1}{10}$th of a prize, *etc.* Confirms Article 21. *Signed,* Joseph Hall. *Copy.* 3 *pp.*

484. xxi. Governor Parke to Lt. Governor Hodges, Antigua, Feb. 14, $170\frac{7}{8}$. I understand that you have condemned the 54 negroes brought in by Capt. Dunavan; when I sent you that Commission 'twas only to try the sloop

that was seized, and 'twas never intended to condemn any prizes, for no privateer shall condemn any prize but where I am. I shall take Dunavan's commission from him, since he has served me so. I expect the tenths in kind, and not by appraisment. I desire you to send them by the Bearer and the negro that run away, tho' I promised Capt. Akers, and the rest of the English privateers, for their incouragement, they should not pay the tenths, I did not promise it to Dunavan. I understand the Danes have a Free Trade at Mountserratt, for the future suffer none to stay longer than to fill water, which is not above an hour's work. *Signed,* Daniel Parke. *Copy.* 1 *p.*

484 xxii. Deposition of John French, merchant of St. Thomas. Montserrat, July 21, 1708. In Feb. last he was in Antigua, Commander of a Danish sloop. He twice received a message by Mr. Patrick Blacke from Governor Parke, assuring him he should not be molested in trading within his government, provided he gave him 100 pistoles in gold. He refused £40 which he offered. In Curaçoa last May deponent met with Robert Jones of St. Kitts, Master of an English sloop belonging to H.E., loaden with brown Muscovada sugars, which cargo Jones traded for Dutch goods and money for H.E. account and brought to St. Kitts, July 10. *Signed,* John French. *Copy.* $1\frac{1}{2}$ *pp.*

484. xxiii.-xxviii. Copies of Depositions of Edward Chester senr., William Chapman, Jeremiah Brown, Edward Chester, jr., Samuel Walker, and Jacob Thibon, confirming Article 24, April 12, *q.v.* Antigua, Sept. 20, 1708. *The whole,* 18 *pp.*

484. xxix. Deposition of Lt. Governor Hodges, confirming Article 23, April 12. *q.v.* Mountserratt, June 26, 1708. *Signed,* Anthony Hodges. *Copy.* $1\frac{3}{4}$ *pp.*

484. xxx. Deposition of Jonathan Warner, Jan. 3, 1709. Clerk of the Council, Montserat, deponent heard some dispute in Council, on Dec. 20, 1708, between Governor Parke and George Wyke relating to [preceding] deposition. Governor Parke said the [*Lt.*] Governor was a raskal, for what he spoke was in jest and over a glass of wine, *etc.* *Signed,* Jonan. Warner. *Copy.* 1 *p.*

484. xxxi. Copies of papers, warrants *etc.* relating to the proceedings at Edward Chester's house, Sept. 18, 1708, including letter from Sir Samuel Gerrard to Edward Perrie, *etc.* Confirm Article 24, April 12. *q.v.* $6\frac{1}{4}$ *pp.*

484. xxxii. Governor Parke's Mandamus to C. J. Samuel Watkins to sign an attachment against Henry Fletcher. *Signed,* Daniel Parke. July 30, 1708. *Note*: The Governor has no power to intermeddle with the orders of the Court of Common Pleas, except upon application in Council. *Copy.* 2 *pp.*

484. xxxiii. Mr. Nivine's evidence in support of the Articles

of complaint against Governor Parke. *Signed*, Will. Nivine. *Copy*. 7 *pp.*

484. xxxiv. Col. John Ward to the Council of Trade and Plantations. St. Kitts, Aug. 25, 1708. Petitioner entered into partnership with Governor Parke to farm a plantation *etc.* The Governor has broken through all his covenants and so forfeited his bonds, besides so treating petitioner as to ruin him speedily, unless prevented. *Prays* that he be compelled to pay him the money due to him for the labour of his negroes *etc.* *Signed*, John Ward. *Copy*. 1¼ *pp.*

484. xxxv.-xxxvii. State of the case, accounts, agreements, *etc.* between John Ward and Governor Parke. *Copies.* 62 *pp.*

484. xxxviii. Copy of proceedings of the Court of Admiralty, St. Kitts, *re* the sloop *Great Britain*, July 12 and 13, 1708. 9 *pp.*

484. xxxix. Copy of proceedings of the Court of Admiralty, Antigua, *re* the sloop *Union*. July 31, Aug. 3 and 4, 1708. 15 *pp.*

484. xl. Edward Chester to Robert Chester. Aug. 24, 1708. The Governor demanded a present of 2 negroes from every ship that came from the Gold Coast. Confirms Article 16, March 31. *etc.* *Copy.* 6 *pp.* [*C.O.* 152, 8. *Nos.* 15, 15. i.-xl.; *and* (*without enclosures*) 153, 10. *pp.* 352, 353.]

May 3. Whitehall. **485**. The Earl of Sunderland to the Council of Trade and Plantations. The Queen being informed that some hundreds of poor German Protestants are lately come and more are coming from the Palatinate with intentions to settle in H.M. Plantations in America, H.M. being convinced that it would be much more for the advantage of Her Kingdoms if a method could be found to settle them here in such manner as they might get a comfortable livelyhood, instead of sending them to the West Indys, that it would be a great encouragement to others to follow their example, and that this addition to the number of her subjects would in all probability produce a proportionable increase of their trade and manufactures; H.M. has commanded me to signify to you Her pleasure that you should take this matter into consideration, and that if you can think of any proper method of having this done, you should propose the same to H.M. as soon as is possible, together with your opinion in what part of England it may be most feasible. They are for the most part husbandmen and labouring people, which renders it the easier to dispose of them to the advantage of the publick. *Signed*, Sunderland. *Endorsed*, Recd. 3rd, Read 4th May, 1709. 1¾ *pp.* [*C.O.* 388, 76. *No.* 54; *and* 389, 36. *pp.* 398, 399.]

[May 3.] **486**. Capt. Moody to the Council of Trade and Plantations. Proposals for the better Government and security of Newfoundland. *Signed*, J. Moody. *Endorsed*, Recd. Read May 3, 1709. 3 *pp.* [*C.O.* 194, 4. *No.* 90; *and* 195, 5. *pp.* 86-90.]

1709.
May 4.
Antigua.

487. Governor Parke to the Council of Trade and Plantations. Capt. Buor, who brings your Lordshipps this, alsoe carrys with him the Minutes of the Councill to the meeting of the last Councill, *etc.* I need make noe remarke for I doe nothing without the advice and consent of the Councill, and it is all entered in the books. I can't gett the Minutes of the Assembly, the bookes are kept by the Speaker, and he is to deliver noe coppys but by order of the house, indeed there is no great regard to be had of them, for they are not kept by sworne Clerke, they pretend it is their right to put in their owne clerke, and he is not to be sworne to enter all yt. passes, for sometimes it is not requisite, and they are soe very fickle they have had in my time three severall Clercks in one weeke, one thing shall be put to the vote and carryed one way, if some of the cunning men dont like it, two or three hours afterwards, they will continue to gett some of the members out of the house with a bowle of punch, or some other way, and put the same question and have it carryed quite contrary, and then adjourne the house, and soe it must stand. Tell them this is not like the House of Commons, when a vote is passed, the same thing cannot be brought on that Sessions, they laugh and thinke themselves in the right, they assume the negative voice, and without it they will pass noe law, that is they pretend it is noe Law, untill it be first passed their house, the Councill and myselfe, and after that be sent downe and the Speaker has signed it. Tell them when once a law has passed the House of Commons and Lords it is never sent backe, and when the Queen gives her assent to it, then it is a Law, they say it is noe matter for that, they will have it their owne way. None of the other Islands pretend to any thing like this. They had a Custome that all Laws were to be signed by ye Generall and Speaker, and when the Generall passed any Law, the Assembly were by, and out of respect they gave the Generall the penn first, but when the Generall was of the Island, the Speaker then signed the Law, and sent it for the Generall to signe, and it had gone on soe still but the last Assembly after a law had been passed wch. was a very good one, for establishing standing guards, after I had signed it the Speaker was order'd by the house not to signe it, and soe it was noe law, and that we might not have it to put in force, they kept it, these Gentlemen not only pretend to be part of the Legislative, but the whole Goverment, for if any man wants anything, they sollicitt them, and they adress me, and if I don't grant it, nothing is then to be done, noe mony must be disposed of but by a warrant from the Speaker, though it is contrary to my Instructions, it is all one if I will not suffer, they will raise none, the reason for all this irregularity is this, theyr former Generalls did not understand the proper methods, and then every time they met, they made him a present, and therefore he let them doe what they pleased, and because I would not lett them doe soe too and pass a law to fine and imprison any one that should affront any of their house, and they to be judges, and alsoe power to inflict corporall punishment, they would not pay me what they settled on me by a law for house-rent, but if I would have humoured them in their unreasonable desires, then I should have my house-rent well payd, and have a hansome present, besides had I done this your Lordships had heard of no complaint, notwithstanding all Codrington's intriegues. Now they tell the people I have taken away all their libertys, though in a messuage to them I offer'd them all the priviledges the house of Commons pretended to, but they are for the privileges of the Lords, and the Queen's prerogative too. It is in your Lordshipps' power to bring them now into the same method with the other Goverments. Their Clerke should have a sallary settled on him and sworne, their proceedings ought to be as near as may be like the House of Commons. I shall be governed by your Lordshipps, and shall follow ye order I recieve. Your Lordshipps will see in the Minutes of the Councill a letter I writ to Coll. Jones about cloathing, and paying his regiment, and I there offer him if he will lett me recieve wt. the Queen allows, I will doe it, and add to the pay of the subaltern officers. I undertooke to doe it myselfe because he should have noe pretence to evade it, and I had people in every Island would have undertaken it, I know noe reason why the poor soldier should not have that paid him and layd out upon him the Queen allows, they ought to be paid once a month, and every Captaine have liberty to take up money to pay his company, and his bills on the Agent to be paid, but the Coll. is makeing bargains with the merchant who will give him most, and they send over goods, and if any accident happens, the men are [*u*]npaid and uncloathed, and consequently a great many will die for want of neccessarys. Provisions now are cheap, such as they eat, and they may live very well on their pay, if the Coll. would duly cloath them and see that they be paid their due, if the Queen does not think fitt to intrust the Captains, there should be a Commissary apointed to see it done, for unless some care be taken in a litle time they will be reduced to a very small number, and those not fitt for service, it is now allmost six months since I recieved any letter from your Lordshipps. I expect your Lordships' command with a great deale of impatience. Capt. Medcalfe is arrived with the Queen's bounty provissions, and I have sent the Queen's order and my Lord Sunderland's letter to the Lt. Governor of Nevis and St. Christophers. *Refers to enclosures.* I sent some of these by the last fleet, but not hearing of their arrivall, I send others. I shall have an adress alsoe from Nevis, but the sickness being there, I could not call the Councill and Assembly when I was at that Island, and the *Adventure* being taken the first of March last has made me a prisoner to this Island. The *Weymouth* being now here, I thinke to get Capt. Legg to carry me to the other Islands. *Signed,* Daniel Parke. *Endorsed,* Recd. July 13, Read Nov. 15, 1709. Recd. from Mr. Perry. 4 *pp.* *Enclosed,*

487. i. Affidavits of the officers of the Regiment in the Leeward Islands, justifying Governor Parke from the com-

1709.

plaints made against him March 31, April 12. Sworn in Council, Nov. 12, 1708. *Endorsed*, Recd. July 13, 1709. 3 *pp.*

487. ii Address of Freeholders, Merchants and Planters of Antigua to the Queen. Congratulate successes of H.M. We should think ourselves as happy as any other your Majesty's subjects, if a spirit of division, (which of long time has been brewing) had not at this time broke out into a flame begun and carried on by the restless malice of some few persons against Governor Parke, *etc. Praise* Parke's administration, *etc. Signed*, Richard Olive, Samuel Byam, Wm. Yeamans, Christopher Knight, Thos. Rome, J. Huyghue, Will. Grear, John Smith, Wm. Lyell, Nathaniel Humphry, Tho. Dewitt, Alex. Blake, Edward Morgon, Jno. Sawcolt, H. Pember, Charles Goss, John Gosse, Richard Oglethorp, Danl. Hobart, Robert Forter, John Chamberlain, Henry Beaulieu, John Weatherill, Saml. Picart Lafertey, John Vineens, Sam. Wickham, Jno. Wickham, Saml. Proctor, Leonard Burroughs, Saml. Hewes, John Barbottain, Alexander Calman, Geo. Salter, Timothy Singin, [? *St. John*] John Parry, Dennis Machelmore, Cuth. Black, Walter Shelley, John Blondon, jr., Thomas Sawcolt, John Brady, James Westmore, Michael Ayon, John Brett, Robert Weir, F. Pouch, N. Symon, Jno. Poach, Jam. Robinson, Saml. Podivinu (?), Alexr. Dunn, Henry Norton, Giles Blizard, Giles Blizard jr., Gousse Bonnin, Petre Vollard, Abraham Cairson, Cæsar Rodeney, John Hoskins, Elias Jamain, Richard Sharpe, Walter Kirwan, Geo. Napper, John Watlington, Jer. Blizard, John Greenway, Jeremiah Blizard, jr., John Elliott, John Buxton Clerk, Jean Decosty, John Reynolds, Hazael Reynolds, B. Johnson, Thomas Lone, Jer. French, Edwd. Taylor, John Wright, James Nisbitt, Richd. Buckeridge, Abr. Redwood, John Haddon, Isaac Royall, Humphry Osborn, Joseph Buckshorn, C. Stoodly, Francis Rogers, Saml. Parry, Tho. Gateward, John Burton, Anth. Henteyne. *Endorsed*, Recd. July 13, 1709. 1 *large p.*

487. iii. Account of Stores of War in Antigua, Feb. 10, $170\frac{8}{9}$. *Same endorsement.* 1 *p.*

487. iv. List of inhabitants of Martinique, their stores, ammunition and cattle etc. Jan. 1, $170\frac{8}{9}$. 1481 men and 150 soldiers, 20,282 slaves *etc. Same endorsement.* 1 *p.* [*C.O.* 152, 8. *Nos.* 35, 35.i.-iv.; *and* (*without enclosures*) 153, 10. *pp.* 386-395.]

May 4.
Antigua.

488. Governor Parke to Mr. Secretary Boyle. I have desired the favour of Capt. Buor to deliver this to you, with some cytron water *etc.* He is an officer in the Regt. here, soe will be able to informe you of the state of these Islands much better then I can possibly doe by a letter. I hear they have sent some time

1709.

agoe Articles against me, but what they are I am yett a stranger too, as alsoe are the whole Councill, and all the inhabitants except 5 or 6, for though they have gott severall to signe them, they were not suffered to see them, there are adresses from the severall Councills of each Island in my justification. I send these Adresses home, that the Queen may see that 3 of the 4 Islands not only thinke I have not been guilty of any male administration but on the contrary I have acted like a very good Governour, and the whole Councill, part of the Assembly and the most considerable inhabitants of this Island are of the same opinion, as they declare in their Address. Everybody knows very well the Duke of Marleborrough and my Lord Treasurer are my patrons, and it is by their favour that I was sent here. If I have been guilty of any male administration, the Duke and his Lordshipp ought to see that I bee not only removed but punnished, but common Justice requires that I be heard before condemned, this is all I desire. What a villanous petition did Mrs. Bowden deliver to the Queen against me, which upon examination by the Councill of Saint Christophers was found to be every article falce in fact, as apears by their report sent home with the severall affidavitts to justifie their report, this was putt in by order of her brother, Coll. Lillingston, to be revenged of me for pressing for his comeing over to his Regiment, putting in a petition and makeing a complaint costs nothing, it is throwing of dyrt, and when it is proved to be falce I can have noe remedy against the authors, the Articles Col. Codrington's friends have sent home they know themselves to be falce, notwithstanding the pretended depositions they have sent with them, but they hope to gett me out by bribery without being heard, for they make noe scruple to owne in their cupps and declare their articles are only to give a pretence to some great men. In all my publick transactions I have taken the advice of the Councill, and they are to be seen in the Minutes, *etc.*, and if I am charged with any ill thing in my private capacity, I am very certaine I shall be able to prove it both false and malitious. Had I had a Commission to be Brigadeer Generall, as the Duke promised me, when I tooke my leave, I had not had this uneasyness, but Coddrington finding soe many Collonels made Briggadeers over my head, who am by the Duke's Commission an older Coll. than any that has been made brigadeers for this two years past except Coll. Lillingston, he therefore concluded I had noe intrest, and consquently flinging of dyrt and makeing a claymour and some money well disposed of, would gett me removed. *Signed,* Daniel Parke. 3 *pp.* [*C.O.* 152, 42. *No.* 11.]

May 4. Whitehall.

489. Mr. Popple to Mr. Lowndes. The Council of Trade and Plantations having under consideration the most effectual method for preventing illegal trade in the Plantations, and more particularly in Virginia, they desire you to move the Lord High Treasurer, that they may have as soon as possible the opinion of the Commissioners of H.M. Customes upon an Act

1709.

past in Virginia in June 1706, entituled, An Act for establishing of Ports and Towns in that Colony, transmitted to you in my letter of Dec. 4, 1706. [*C.O.* 5, 1362. *p.* 383.]

May 5.
Treasury Chambers.

490. Mr. Lowndes to Mr. Popple. My Lord Treasurer directs you to signifye to his Lordp. what accounts at any time have been sent to the Lords Commrs. for Trade and Plantations concerning the galeon taken by Capt. Waager in the West Indies. *Signed,* Wm. Lowndes. *Endorsed,* Recd. 5th, Read 6th May, 1709. *Addressed.* ¾ *p.* [*C.O.* 137, 8. *No.* 38; *and* 138, 12. *p.* 397.]

May 5.
Whitehall.

491. The Earl of Sunderland to the Council of Trade and Plantations. H.M. being graciously disposed to relieve the necessitys of the German Protestants [*see* May 3], you are forthwith to make enquiry into their numbers and condition, and report to H.M. as soon as may be, what it may be necessary to give them for their present support, till they be either settled here or sent to H.M. Plantations. *Signed,* Sunderland. *Endorsed,* Recd. Read May 6, 1709. 1 *p.* [*C.O.* 388, 76. *No.* 55; *and* 389, 36. *p.* 409.]

May 7.
St. James's.

492. Additional Instructions for Brigadier Whetham. If the squadron of our Fleet employed in this expedition shall act against the enemy's battery's or fortifications, or shall assist in reducing any place possess't by the enemy to our obedience, the Flagg Officer [Com. in Cheif, *in margin*] who commands the same, is to be considered with regard to the plunder in the same proportion as you or the Commander in Cheif of our said forces, and the Captains, other officers of ships and seamen in our fleet, in the same manner as those acting on shore, and all other cases of plunder to be ruled, according to former custome of land, and sea forces acting together in the West Indies. ½ *p.* [*C.O.* 5, 751. *No.* 77.]

May 7.
St. James's.

493. H.M. Warrant for Governor Hunter to be Captain of the Independant Company at New York, whereof John Lord Lovelace was late captain, *etc.* *Countersigned,* Sunderland. [*C.O.* 5, 210. *p.* 176.]

May 7.
St. James's.

494. The Queen to Governor Crowe. Alexander Skeen is to be restored to his offices, according to the Representation of the Council of Trade, April 15, *q.v.* *Countersigned,* Sunderland. [*C.O.* 5, 210. *pp.* 149-151.]

[May 9.]

495. John Tribbeko and George Ruperti to the Council of Trade and Plantations. According to your Lordships' order, we have made a particular enquiry into the condition of the poor Protestant Palatines (*see* encl. ii.). These poor distressed people, who most humbly implore H.M. most gracious protection, have desired us to represent, (1) That those of 'em who had some substance when they left their country, have during their

1709.

journey been obliged to assist the others who had nothing, by which means all of 'em (except some few) are now reduced to great want. (2) That they finding themselves under great straits, and having already some sick among 'em for want of necessary sustenance, and many of 'em going allmost naked, they pray some speedy relief, lest the vigorous young men might lose their health and strength, and so not be serviceable in the Plantations. (3) Those who are come over last and landed May 5th, having had some brandy taken from them by the Custom House Officers, pray that it may be restored to 'em. (4) That your Lordships would be pleased to order that they may not be overcrowded in the ships in their voyage to the Plantations, they having been in great misery, and had severall children died in their passage from Holland for want of room. (5) That about 100 more of their countrymen having been obliged to stay behind at Rotterdam, they cannot pay their transport hither, and leave it to your Lordships' generosity, *etc.* (6) It being likely that these poor people who are destitute of a minister, may stay here some time, we are ready to perform the divine services with 'em once or twice a week, if your Lordships would appoint a place near their dwellings in St. Catherine's, where they might meet. Return thanks *etc. Signed,* John Tribbeko, Chaplain of his late R.H. Prince George of Denmark. George Andrew Ruperti, Minister of the German Lutheran Church in the Savoye. *Endorsed,* Recd. 9th, Read 12th May, 1709. 2 *pp. Enclosed,*

495. i. Same to same. A great many of the poor Palatines begin to be very sikly, and several are dead here already, because (1) they are pakt up in such great numbers, we having found very often 20 to 30 men and women together with their children in one room; (2) when they fall sick they are destitute of all comfortable assistance, and many really want bread. *Pray* for some speedy relief for their great necessity. *Signed as preceding.* 1 *p.*

495. ii. A list of the poor Germans lately come over from the Palatinate, taken in St. Catherine's, May 6, 1709. Names, families, and ages, religions and trades of 852 refugees, of whom 150 of the 210 men are agriculturists, the rest tradesmen and mechanics. *Signed as preceding. Endorsed,* Recd. Read May 12, 1709. 19 *pp.* [*C.O.* 388, 76. *Nos.* 56, 56.i.,ii.]

May 9.
Barbados.

496. Governor Crowe to the Council of Trade and Plantations. *Encloses* duplicates. *Acknowledges* letters of Nov. 25, Dec. 15 and Feb. 24. There is not amongst them the copy of the Representation of the three Counselours as H.M. letter expresses, and commands me to answer to. I doubt not but fully to clear myself from all false aspertions which I find has had so great an impression on your Lordships *etc. Signed,* M. Crowe. *Endorsed,* Recd. 6th, Read 8th Aug., 1709. 1 *p.* [*C.O.* 28, 12. *No.* 34; *and* 29, 12. *p.* 1.]

1709.
May 9.
St. James's.

497. Additional Instructions to Brigadier Whetham. Whereas by our former Instructions you are at your arrivall at Boston in New England to consider at a Councill of war whether considering the failure of the Quotas of the respective Provinces, or the latenesse of the season, the expedition to Canada shall be found practicable, this is further to direct and require you, that in case the said expedition is found not practicable, you forthwith repair with the forces under your command to Newfoundland, in order not only to the recovery of St Johns, and what the enemy have lately taken from us and our subjects, but to the reducing to our obedience Placentia and the rest of Newfoundland, and this in such a manner as shall be judged most practicable in a Councill of War. *N.* This Instruction was sealed and thus endorsed "Additional private Instruction not to be opened by Brigadier Whetham, except upon his arrival at Boston in New England, if it be at a Councill of War found impracticable to go on the expedition on Canada." ¾ *p.* [*C.O.* 5, 751. *No.* 78.]

May 9.
St. James's.

498. Additional Instruction for Brigadier Whetham. Whereas by your former Instructions you are directed at your arrivall at Boston in New England, in case of the failure of the Quota's of the Troops of New England and New York etc., to consider whether the expedition to Canada will be found practicable, you are hereby further directed, in case at that time there shall be any doubt, whether the proper season of the year is past, to take that matter at the same time under your consideration, and you are at the same Councill of War to have the opinions in writing of the Lord Lovelace [Col. Hunter *in margin*], our Governour of New England, of Coll. Nicholson and Mr. Vetch, or as many of them as shall be present, together with their reasons for their said opinions, and this for the better guidance of your judgment in the said Councill of warr, and for our information of the reasons on which your resolutions shall be founded. ¾ *p.* [*C.O.* 5, 751. *No.* 79.]

May 9.
Whitehall.

499. W. Popple to Mr. Lownds. I herewith transmit to you the extracts of two letters from Brigadier Handasyd of June 17 and June 20, 1708, relating to the galleons taken and destroy'd by Capt. Wager (*Cf* May 5) which is all the information their Lordships have received of that affair. And as Brigadier Handasyd has given me no account of the value of any of the prizes mentioned in his letter, their Lordships have writ to him about that neglect, and directed him to transmit to them by the first opportunity the best account he can of the value of the said prizes. This you will please to lay before my Lord High Treasurer. [*C.O.* 138, 12. *p.* 400.]

May 10.

500. Governor of the Hudson's Bay Company to [? *the Earl of Sunderland*]. The Hudson's Bay Compa. have sent your Ldshipp. the two Bookes promised you, which your Ldshipp. would have had sooner, could they have been gott ready. They

1709.

have likewise sent you the Compies.' case which they have already distributed in London, and designe to send the same over into Holland. They returne your Ldshipp. theire harty thankes for the many and great favours already received, humbly praying the continuance thereof. *Signed,* Step. Evance, Govr. $\frac{3}{4}$ *p.* [*C.O.* 5, 3. *No.* 36.]

May 12. Whitehall. **501**. Council of Trade and Plantations to the Earl of Sunderland. *Reply to* letters of May 3 and 5. *Quote* MM. Tribbeko and Ruperti [May 9]. These Gentlemen proposing that the medium to provide for the 852 persons now here, if carefully distributed, may amount to no more than £16 per day, we signify the same to your Lordship for H.M. pleasure. [*C.O.* 389, 36. *pp.* 401-403.]

May 14. Barbadoes. **502**. Messrs. Sharpe, Walker and Beresford to the Council of Trade and Plantations. Our Governour Mr. Crowe's behaviour upon the receipt of H.M. gracious orders for restoreing us to ye Council and for ye examination of evidences on our complaint against him, has oblig'd us to lay before your Lordships this Representation, whereby your Lordships will perceive how little H.M. sacred commands are regarded, and what violent steps he is forced to take, rather then suffer an examination of those unjustifiable practices, which he knows we can so evidently prove against him. On ye 6th of this month we received duplicates of H.M. Orders. On ye 7th H.E. promised to restore Mr. Walker and Mr. Beresford, who waited on him, on Tuesday following, when the Council was to meet, and yt. he would give an order to any magistrate yt. we should name to take what depositions we pleased. But on Monday, the meeting of ye Council was adjourned to ye Thursday ye 12th; and that evening, as the pacquet was goeing under sail, the Assembly met and passed an Address, wherein they falsely pretended yt. H.M. Order for restoreing us had occasion'd a general consternation and great dissatisfaction in ye inhabitants. This Address was passed by those persons against whom we were forced to complain in our Representation. They themselves seem to have been so sensible, yt. that they had given a wrong account of ye people's inclinations, yt. they endeavour'd to keep ye Address private; and in order thereunto ye Speaker took it from ye Clerk without leaving him any copy, or so much as suffering it to be enter'd on ye Journals. But as soon as it came to be known, by ye information of ye Members that voted against it, yt. ye majority had passed such an Address, it rais'd ye resentments of everybody to yt. degree, yt. in 48 hours an Address was presented to H.E. sign'd by 160 Gentlemen, who happened to be then in town, whereof nine tenths are ye most considerable merchants and traders, and it would also have been sign'd by a very great majority of all ye Gentlemen on ye Island, if they had had ye least notice of it; but they will still sign duplicates, and if there had been any freedome of choice at the last election, very few of these factious men would have been now in yt. House. The ten Gentlemen that voted for ye Address were Richard Downes, Speaker, Thomas Maycock, Thomas Maxwell, Edmund Sutton, Thomas Horne, Thomas Neal, Samuel Husbands, William Terril, William Grant, and James Vaughan, and we most humbly submit it to your Lordships, if it be not a matter of very dangerous consequence, yt. a few Members of the Assembly should presume to address H.M. Governour to disobey Her Royal Commands, as well as to take upon them to declare the sentiments of ye People; the contrary whereof will appear from a copy of ye Address herewith transmitted, *etc.* On ye 12th we went to Pilgrim, where the Council was appointed to meet, to know whether he would restore us. Soon after we came in, Col. Christopher Codrington, at the request of ye most considerable merchants of ye Island presented ye aforesaid Address; upon which H.E. after having read it, broke out into a violent passion, and turning himself to us, abus'd us in such scurrilous Billingsgate language as would be offensive to your Lordships' ears to hear; such as no Gentleman would have given even to a ffootman. After his temper was a little cooled, we presented to him a Memorial, praying him to give order by ye Honble. Thomas Beckles, Chief Judge of H.M. Court of Common Pleas for ye precinct of St. James and St. Thomas, to take ye affidavits upon our complaint. He ask'd whether your Lordships had transmitted to us a copy of ye Representation, and when we told him that your Lordships had not, he said that neither had your Lordships sent any to him, and yt. therefore untill he had a copy sent him, he would give no order. Then we offer'd to give him a copy of it, to which he answer'd that there was no occasion, since he himself had ye original; but that he did believe H.M. in her Order meant some other Representation then that which we deliver'd to him; for he had already answer'd that very fully. Upon which we tender'd H.E. our oaths that we had not since that transmitted any other Representation to your Lordships; but he told us yt. would not do. However, after several times pressing him, he said he would take time to consider of it. When he went in to Council, he order'd ye doors to be shut, and would not suffer us to be admitted, notwithstanding that ye serjeant at arms attending the Council acquainted him yt. we were without, and had waited several hours, and desired admittance, haveing matters of moment from H.M. to lay before him; and a 2nd time told him yt. we had H.M. letter unopen'd directed to H.E., as indeed we had, which we desired him to receive. His answere was, that he would receive no paper from us then; but that if we had anything to say, we must give it him in writeing another time. In ye evening ye Minutes of Council were sent to us, by which we perceive yt. ye reasons there given, why he will not restore us, are, in complyance with the aforesaid Address of ye ten Assemblymen, and some crimes as yet to us unknown, which they pretend to charg us with; tho' it is but too evident yt. the true reasons are his own numerous causes now depending, which are like to take up ye business of

1709.

ye Council for some time, and which he is willing to have determined before our admittance, besides 2 Addresses, which were that day to be passed in Council, one for £500 to himself, and ye other for £300 to be sent to Mr. Heysham and Mr. Royle to carry on a complaint against us; as also an Act constituteing them Agents with the allowance of £250 per annum salary to each. And we humbly recommend to your lordships' consideration, whether an Act obtein'd with such violence, yt. was carry'd only by one voice, and when 3 Members of ye Council were excluded, ought to be confirm'd. *Assert their integrity, etc. Signed,* Wm. Sharpe, Alexander Walker, Saml. Beresford. *Endorsed,* Recd. Read June 27, 1709. 4 *closely written pp. Enclosed,*

502. i. Minutes of Council of Barbados, May 12, 1709, *referred to in preceding. Copy. Endorsed,* Recd. June 27, 1709. $4\frac{1}{4}$ *pp.*

502. ii. Petition from Messrs. Sharpe, Walker and Beresford to Governor Crowe, that he will instruct Mr. Beckles to take depositions *as supra. Signed,* Wm. Sharpe, Alexander Walker, Saml. Beresford. *Endorsed,* Recd. June 27, 1709. $\frac{3}{4}$ *p.*

502. iii. Governor Crowe's reply to preceding. He will give orders as desired as soon as he receives their Representation referred to in H.M. Order. Barbados, May 16. *Signed,* M. Crowe. *Endorsed as preceding.* 1 *p.*

502. iv., v. Reply of Messrs. Sharpe, Walker and Beresford *to preceding,* May 18, 1709. *Copy, sealed and certified by* Alex. Skene. *Same endorsement.* $2\frac{1}{2}$ *pp.*

502. vi. Petition of Messrs. Sharpe, A. Walker and Beresford to Governor Crowe for a copy of the Address of the Assembly accusing them of crimes to them unknown, etc. *Copy, sealed and certified by* A. Skene. 1 *p.* [*C.O.* 28, 12. *Nos.* 25, 25. i.-vi; *and* (*without enclosures*) 29, 11. *pp.* 460-468.]

May 14. Barbados. **503.** S. Cox and J. Pilgrim to the Council of Trade and Plantations. Confirm statements in preceding as to proceedings in Council of Barbados, May 12, 1709. *Signed,* Saml. Cox, Jno. Pilgrim. *Endorsed,* Recd. 9th, Read 15th Aug., 1709. 2 *pp.* [*C.O.* 28, 12. *No.* 38; *and* 29, 12. *pp.* 3-5.]

May 15. Whitehall. **504.** The Earl of Sunderland to the Council of Trade and Plantations. H.M. approving of what you propose [May 12], has given orders for a supply to the poor Germans till they are otherwise provided for; and desires you will make what dispatch you can to report your opinion in the several points mentioned in my letter of May 15. *Signed,* Sunderland. *Endorsed,* Recd. Read May 17, 1709. 1 *p.* [*C.O.* 388, 76. *No.* 57; *and* 389, 36. *pp.* 403, 404.]

May 16. Montserrat. **505.** Governor Parke to the Council of Trade and Plantations. I tooke the opertunity of the *Weymouth* being in my Government to viset Nevis and the other Islands. As I was returning to Antigua, I met this packet. *Acknowledges* Order in Council *re* Mrs. Bowden's petition, and *thanks* for report. I am well assured I shall clear myselfe of all manner of crimes laid to my charge *etc.* All the best people of my Government will justifie me, but 'tis hard contending with a man worth £100,000, *etc. Refers to enclosures May* 4. *etc. Signed,* Daniel Parke. *Endorsed,* Recd. Aug. 6, Read Nov. 15, 1709. 2 *pp.*[*C.O.* 152, 8. *No.* 36; *and* 153, 10. *pp.* 396, 397.]

May 16. **506.** E. Jones to the Council of Trade and Plantations. *Prays* that there may be no further proceedings in his case till there be a full Board. (*See* Journal of Council, May 9 and 16.) *Signed,* Ed. Jones. *Endorsed,* Recd. Read May 16, 1709. 2 *pp.* [*C.O.* 37, 8. *No.* 79; *and* 38, 6. *pp.* 447-450.]

May 16. **507.** Mr. Eyre to the Council of Trade and Plantations. Encloses following. *Signed,* R. Eyre. *Endorsed,* Recd. 16th, Read 17th May, 1709. Recd. from Mr. Jones. *Addressed.* 1 *p.* *Enclosed,*

507. i. Proposed alterations in the draught of a letter to the Earl of Sunderland relating to Mr. Jones. *See* Journal of Council, May 12, 1709. 4 *pp.* [*C.O.* 37, 8. *Nos.* 80, 80.i.; *and* (*without enclosure*) 38, 6. *p.* 455.]

May 16. **508.** Alterations *in same* proposed by Sir Thomas Parker and Sir Peter King. *Endorsed,* Recd. (from Sir John Bennet) 16th, Read May 17th, 1709. 6½ *pp.* [*C.O.* 37, 8. *Nos.* 81, 81.i.]

May 16. Craven House. **509.** Commission from the Lords Proprietors of Carolina to Fortescue Turberville, for taking probate of wills in South Carolina. *Signed,* Craven, Palatine; Beaufort, Craven for ye Lord Carteret; M. Ashley, J. Colleton, J. Danson, M. Ashley for Jos. Blake. [*C.O.* 5, 289. *p.* 217.]

[May 16?] **510.** Receipt for Lady Granville by the Lords Proprietors of Carolina for the discharge of liabilities of Lord Granville, late Palatine. [*C.O.* 5, 289. *p.* 218.]

May 17. Whitehall. **511.** Council of Trade and Plantations to the Earl of Sunderland. *Reply* to letter of May 15, etc. Finding great difficulties in proposing a method to employ the poor Germans in such manner as they may be able to support themselves, we pray the favour your Lodship would give us an opportunity of conferring with your Lordship upon that affair. [*C.O.* 389, 36. *pp.* 404, 405.]

May 17. Whitehall. **512.** Mr. Secretary Boyle to the Council of Trade and Plantations. It is H.M. pleasure that you should make out and report to her a true state of the pretensions of the Crown of England to any Colonys or places in the West Indies which are now in the hands of the French. And you are likewise to give an account of what towns, places or territorys they have taken

1709.

from us in those parts during this present warr, or we from them. *Signed*, H. Boyle. *Endorsed*, Recd. Read May 18, 1709. 1 *p.* [*C.O.* 323, 6. *No.* 76; *and* 324, 9. *pp.* 292, 293.]

May 18. Barbados. **513**. Governor Crowe to the Council of Trade and Plantations. Since the inclosed coppy of my last, there is another packet arrived, but I am not honoured with any letters from your Lordps. thereby. *Refers to* Minutes of Council, May 12, and the reasons for suspending the admitting of Messrs. Sharpe, Walker and Beresford into the Council (*see supra* May 14), in which I have followed the advice of the majority of the present Council as well as the Assembly. These three Gentlemen are so unacceptable to the majority of the People here, as your Lordships will perceive by the Addresses sent home to their Agents, that I was afraid it would have occasioned some tumult especially when I perceived by their hott Address they were for haveing the sword bore no longer in vain, and here are many needy Gentn., who haveing spent their estates, would embrace the least occasion to hurry us into civill commotions. Another reason I had for suspending the swearing of said Gentlemen was, the aversion they have for the Members of the present Assembly, who have such interest in their country that it's impossible by any dissolution to alter, and in admitting the three Members, they with Mr. Cox and Mr. Pilgrim would have had a majority in Council, so have stopt all publick business, and infallibly ruined the Island. *Hopes for* H.M. approbation. *Refers to enclosure.* So soon as the Representation H.M. orders the affidavits are to be taken to comes, it shall be punctually obeyed. I cannot but take notice, your Lordps. had all these papers under your consideration, but does not advise any particular that my answer was short in. Your Lordps. cannot forgett what distraction this place was in before my arrival, occasioned by the male administration of these very Gentln., which was the reason I had directions in my Instructions to turn them out, which was done accordingly. And I am confident their proceedings since have not any wayes lessened their former crimes. Indeed their private peek against me was only occasioned by obeying that Order. *Encloses* Act for appointing of Agents. On the Assembly's petition to stop the packet for their papers, I gave directions accordingly, which is the first time that any of them has been detained a minute here. *Signed*, M. Crowe. *Endorsed*, Recd. 29 June, Read July 6, 1709. 2 *pp.* *Enclosed*,

513. i. (a) Speech of Governor Crowe to the Assembly of Barbados, March 22, $170\frac{8}{9}$.

(b) Reply of Assembly to preceding. The elections have been made with more liberty under your Excellency than for some years before. Such persons as did zealously and violently concurr with Sir B. Granville in ye oppression of ye honble. George Lillington and others are very unfitt to sitt as Justices for tryall for their own accomplices, *etc.* The different senti-

1709.

ments of some former Assemblys were only occasioned by forced elections, *etc.* *Copy. Endorsed,* Recd. June 29, 1709. 3½ *pp.*

513. ii. Minutes of Council of Barbados, May 12. *Same endorsement.* 4 *pp.*

513. iii. Certificate by 4 Members of the Council of Barbados that they approve of the Assembly's address concerning the suspending of the swearing of Messrs. Walker, Sharpe, and Beresford. May 12, 1709. *Signed,* Geo. Lillington, John Milles, John Hallett, John Frere. *Same endorsement.* ½ *p.*

513. iv. Address of the Assembly of Barbados to the Queen, May 17. The people are under a very great consternation and dissatisfaction on the report of Messrs. Sharpe, Walker and Beresford being restored to the Council, by bringing fresh into their memories the oppressions and miseries they had so greivously suffer'd under in Sir B. Granville's governmt. by their ill designs, *etc.* *Endorsed,* Recd. June 29, 1709. *Copy.* 2 *large pp.*

513. v. Duplicate of May 14. *No.* iii.

513. vi. Address of the Assembly of Barbados to Governor Crowe, thanking him for not admitting Messrs. Sharpe, Walker and Beresford to the Council, *etc.* May 16, 1709. *Same endorsement. Copy.* 2 *pp.*

513. vii. Deposition of Isabella, widow of Benjamin Cryer. May 9, 1709. On Dec. 14, 1708, Wm. Walker desired her to offer Governor Crowe £1000 to stop the proceedings at the Grand Sessions against him, which H.E. refused. *Signed,* Isabella Cryer. 1 *p.*

513. viii. Deposition of Mrs. Cryer. In Dec., 1708 Alexander Walker approached Governor Crowe through her, offering to withdraw the charges against him and to pay him £800 sterl. down and a very handsome present every six months, as they had done Sir B. Granville, if he would join there party in the Assembly. *etc.* H.E. refused. *Signed,* Isabella Cryer. *Endorsed,* Recd. June 9, 1709. 1½ *pp.*

513. ix. Deposition of Rev. G. Ramsay, May 16, 1709. In Jan. 1706, the Rev. Samuel Beresford proposed to offer the Governor £100 for the living of Bridge Parish. *Signed,* Gilbert Ramsay. *Same endorsement.* ½ *p.* [*C.O.* 28, 12. *Nos.* 26, 26.i.-ix.; *and* (*duplicate of No.* 1) 28, 12. *No.* 22; *and* (*without enclosures*) 29, 11. *pp.* 469-473.]

May 19.
Craven House.

514. Commission from the Lords Proprietors of Carolina for John Danson to be Receiver General for North Carolina. *Signed,* Craven, Palatine; Beaufort, Craven for ye Lord Carteret, M. Ashley, J. Colleton, J. Danson, M. Ashley for Jos. Blake. [*C.O.* 5, 289. *p.* 213.]

1709.
May 19.
Craven House.

515. Instructions for John Danson, (*supra*). *Signed as preceding. Signed,* Craven, Palatine; Beaufort, M. Ashley, J. Colleton, J. Danson. [*C.O.* 5, 289. *pp.* 214-216.]

May 19.
Whitehall.

516. W. Popple to Mr. Rowland Tryon. Asks for an account of French encroachments in the West Indies, *as following.* [*C.O.* 324, 9. *p.* 293.]

May 19.
Whitehall.

517. Mr. Popple to Col. Lodwick. The Council of Trade and Plantations having under consideration some matters relating to the French incroachments upon H.M. Dominions in America, desire that you will let them have as soon as possible you can, an acct. of such incroachments as the French have made in New York. [*C.O.* 5, 1121. *p.* 367.]

May 19.
St. James's.

518. Order of Queen in Council. Referring following to the Council of Trade and Plantations for their report. *Signed,* Edward Southwell. *Endorsed,* Recd. Read June 1, 1709. ¾ *p. Enclosed,*

518. i. Address of the Assembly of Barbados to the Queen. *Allege* obstruction of justice and evasion of trial of Wm. Walker for prosecuting George Lillington on a pretended charge of high treason, *etc. See* A.P.C., II. *No.* 1088. *Signed,* William Grace, Clk. of Assembly. *Copy.* 2 *pp.* [*C.O.* 28, 12. *Nos.* 21, 21.i., *and* 29, 11. *pp.* 454-457.]

May 19.
Whitehall.

519. Mr. Popple to Mr. Campbell. The Council of Trade and Plantations having under consideration some matters relating to the French incroachments upon H.M. Dominions in America, desire that you will consult with the rest of the merchants trading to Newfoundland, and let them have as soon as possible you can an acct. of such incroachments as the French have made there. [*C.O.* 195, 5. *p.* 90.]

May 19.
Whitehall.

520. Mr. Popple to the Governor of the Hudson's Bay Company. The Council of Trade and Plantations, having under consideration some matters relating to the French incroachments upon H.M. Dominions in America, they desire that you will let them have as soon as possible you can, an account of such incroachments as the French have made upon the territories within the limits of the said Company's Charter. [*C.O.* 135, 3. *p.* 108.]

May 19.
St. James's.

521. Order of Queen in Council. Petition of Lord Baltimore, for relief from the Order of Nov. 7, 1685, granting to Wm. Penn half an isthmus of petitioner's land in Maryland, is to be heard on June 9. *Cf.* A.P.C., II. *No.* 1077. *Signed,* John Povey. 1 *p.* [*C.O.* 5, 720. *No.* 5.]

[May 23.]

522. Petition of the Governor and Company of Adventurers of England trading into Hudson's Bay to the Queen. *Repeats the Company's case against the French as given in previous*

1709.

volumes of this Calendar 1699—1701 *and Jan.* 19, 1702. Notwithstanding the losses and discouragements they have laboured under, and during the war, the Company have brought from thence between 30 and 40,000 skins per annum, and doubt not, if they were reinstated in their right according to their Charter to bring the importation to 100,000 skins per annum. The Country doth abound with several other commodities, of which Petitioners have not been able to begin a trade by reason of the interruption from the French, as with whale-oyl, whalebone, of which last your subjects purchase from Holland and Germany to the value of above £26,000 per annum. If the French come once to be entirely possessed of Hudson's Bay, they will undoubtedly set up a whale-fishing in those parts, which will greatly tend to the increase of their navigation and to their breed of seamen. There is carried thither and consumed there nothing but of the product and manufacture of England, Petitioners encouraging and daily bringing the Indians to wear coarse cloth instead of skins, which in process of time will considerably advance the woollen trade at home. It must needs reflect upon the honour of Britain to relinquish to the French territory of which their violent usurpation in a time of Peace was alledged as a main Article in the first Declaration of War against that Kingdom. If the French could pretend to any right to the said Territories by the Peace of Ryswick, this right must needs be determined by their notorious infraction of the said Treaty. When your Majesty in your high wisdom shall think fit to give Peace to those Enemies whom your victorious arms have so reduced and humbled, Petitioners pray that the French King be obliged by such Treaty to renounce all right or pretentions to the Bay and Streights of Hudson, to quit and surrender all Forts and Settlements erected by the French, or which are now in their possession, as likewise not to sail any ship or vessel within the limit of the Company's Charter, and to make restitution of the £108,514. 19. 8. of which they robbed and dispoiled your Petitioners in times of perfect amity between the two Kingdoms. [*See C.S.P.* 1699. *No.* 150 *etc.*] *Annexed,*

522.i. Report of the English Commissioners, 1687, and His Majesty's Resolution thereupon. *The whole endorsed,* Recd. Read May 23, 1709. 4 *large pp.* [*C.O.* 134, 2. *Nos.* 31, 31.i.]

[? May 23.] **523**. Governor and Company of Hudson's Bay to the Queen. A deduction of the right and title of the Crown and Company to the lands within Hudson's Bay and Streights *etc.* 1497—1689. Contrary to the Treaty of Ryswick, the French still keep possession of the greatest part, *etc. Cf.* C.S.P., 1699. *No.* 150. 2½ *printed pp. No date, signature or endorsement. Cf.* May 19. [*C.O.* 134, 3. *Nos.* 16, *and* (*duplicates*) 17, 18.]

May 23. Antigua. **524**. Governor Parke to the Council of Trade and Plantations. *Encloses* Address to H.M. [*see* May 4] signed by

1709.

above double the number of those that have sign'd the Articles. This was done by my friends when I was at St. Christophers. They have twice their estates, and noe arts were used. *etc.* I have alsoe sent an adress signed by the whole Councill and Assembly of Montserrat, and I daresay every inhabitant of that Island (the Governour and nephew excepted) would signe it if desired, *etc.* *Signed,* Daniel Parke. *Endorsed,* Recd. Aug. 6, Read Nov. 15, 1709. 1 *p.* *Enclosed,*

524. i. Address from the Council and Assembly of Montserrat to the Queen. Governor Parke has not been guilty of any male administration in this Island, but has been indefatigable for the preservation of H.M. Islands, having visited this Island much oftner than any other Generall ever did in the same compass of time, *etc.* *Signed,* Edward Buncombe, Speaker, Jno. Bramby, John Hartt, William Finch, Antho. Ravell, Denis Daly, Joseph Kirwan. Thomas Lee, William Frye, John Daly, Geo. Liddell, W. Gerrish. *Endorsed,* Recd. Aug. 6, 1709. 1 *p.* [*C.O.* 152, 8. *Nos.* 37, 37. i.; *and* (*without enclosure*) 153, 10. *pp.* 398, 399.]

May 23. Whitehall. **525.** The Earl of Sunderland to the Council of Trade and Plantations. The enclosed Petition having been laid before the Queen, I was commanded by H.M. to transmit it to you for your opinion, *etc.* *Signed,* Sunderland. *Endorsed,* Recd. 9th, Read 27th June, 1709. 1 *p.* *Enclosed,*

525. i. Petition of Thomas Onslow, Edward Broughton, Benjamin Way and Thomas Bernard on behalf of themselvs and many other merchants of Jamaica, to the Queen. Your petitioners or those under whom they are intituled were merchants adventurers in Jamaica about 1693, and did then contract with Sir James De L'Castillo and Don Francisco Portio, subjects to the King of Spaine and Factors for the Assiento, for introduction and importing Negroes to the Spanish West Indies by grant from his said Catholick Majestie, for monies and Negroes to be delivered at Porto Bello and Carthagena, which were deliver'd accordingly, whereby the petitioners had justly due to them according to their said contracts 86,014 peices of eight, which money or great part thereof was putt on board severall shipps at Carthagena by the Factors of the Assiento there for the use of the petitioners, but by the contrivance of the Spanish Governor and the said Portio was taken out of the said ships and deteyned from the petitioners to their great detriment and damage. Your petitioners being left without remedy in the ordinary course of bussiness did apply to Sir W. Beeston then Governor of Jamaica, who severall times sent to the Spanish Governors of Panama to demand satisfaction for the petitioners, but not being able to obtaine any redress from them. It on the contrary appearing manifestly that

they were privy to, connived at and encourag'd the defrauding the petitioners in the premises, the petitioners on Aprill 2, 1696, apply'd by petition to his late Majesty in Councill, which was referr'd to the then Committee for Trade and Plantations, but by reason of severall accidents that then happen'd, and after the alteration of the Spanish Government and the ensuing warr, the petitioners have hitherto been without releife. In regard the said debt was contracted with those in publick authority, and that the petitioners are ready to make appear that by reason of the artifices, delayes and fraudulent proceedings of the Spanish Governors, your petitioners have not been able or can obtaine their just debts without your Majesty's gracious interposition and favour, by demanding and securing in some Treaty or otherwise that reparation be made your petitioners for their great losses and damages in the premisses, the want whereof will not onely be a very great loss, damage and discouragement to your said petitioners, but if past by with impunity be an inducement to such base practices hereafter. Your petitioners therefore humbly pray your Majesty to give such orders for the obtaining justice and releif to the petitioners, as your Majesty in your great wisdom shall think meet and proper. 1 *p.*

525. ii.-vi. The case, receipts etc. of the Merchant Adventurers in the late Assiento under Don Nicholas Porcio, setled in Jamaica. 1693, 1694. 6 *pp.* [*C.O.* 137, 8. *Nos.* 41, 41. i.-vi.; *and* (*without enclosures*) 138, 12. *pp.* 401-405.]

May 23. **526**. United Societies of London for Mines royal *etc.* to the Council of Trade and Plantations. *Propose* to employ the poor Palatine Protestants in the silver and copper mines of Merionethshire etc. *Endorsed,* Recd. (from Dr. Stringer) Read May 23, 1709. 1 *p.* [*C.O.* 388, 76. *No.* 58.]

May 23. Treasury Chambers. **527**. Mr. Taylour to Mr. Popple. My Lord Treasurer desires the opinion of the Council of Trade and Plantations, in what manner the German Protestant Refugees may be most properly disposed of. *Signed,* J. Taylour. *Endorsed,* Recd. Read May 24, 1709. 1 *p.* *Enclosed,*

527. i. Mr. Coleby to the Lord High Treasurer. There are 1100 more of the German Protestants come over, and 600 more lye at Rotterdam for passage. They are very poor and sickly, and if they are not quickly disposed of, will breed a sickness in the City, *etc.* 1 *p.* [*C.O.* 388, 76. *Nos.* 59, 59. i.; *and* 389, 36. *pp.* 406, 407.]

May 23. **528**. Copy of an Act of Maryland *for the reliefe of poor debtors, etc.*, with criticisms thereupon. *Endorsed,* Recd. (from Mr. Perry etc.) May 23, 1709. [*Cf.* Oct. 17, 18, 1709.] 6¼ *pp.* [*C.O.* 5, 716. *No.* 63.]

1709.
May 24.
Antigua.

529. Governor Parke to the Council of Trade and Plantations. Encloses following. *Signed*, Daniel Parke. *Endorsed*, Recd. Aug. 6th, Read Nov. 16, 1709. 1 *p.* *Enclosed*,

529. i. Account of guns and stores of war at Montserrat, Dec. 1, 1708. *Endorsed*, Recd. Aug. 6, 1709. 1 *p.*

529. ii. Account of guns and stores of war at St. Kitts, Dec. 6, 1708. *Same endorsement.* 1 *p.*

529. iii. Account of the capture of H.M.S. *Adventure*, 44 guns, 194 men, Capt. Robt. Clarke, by the French man of war *Valeur* 36 guns, 286 men, Monsr. Du Clair, Commr. March 1, 1709, between Montserrat and Martinique sighted 2 sail. After chasing the *Valeur* and engaging her, the Capt. several officers and many of the crew were killed or wounded. The *Valeur* offering to board the *Adventure*, the crew of the latter refused to fight on, saying they had no small arms, and struck the colours. *etc.* *Signed*, Jno. Wilkinson, Master; Robt. Northoner, gunner, William Harwood, Carpenter. *Same endorsement.* 2¼ *pp.*

529. iv. List of men captured on board H.M.S. *Adventure.* Unwounded, Seamen 64, Marines 6, Soldiers from Antigua, 6. Wounded, Seamen 67, Marines 9, Soldiers from Antigua, 12. Killed, seamen, 21, marines 3, soldiers 5. *Same endorsement.* 1 *p.* [*C.O.* 152, 8. *Nos.* 38, 38. i.-iv.; *and* (*without enclosures*) 153, 10. *pp.* 400, 401.]

May 24.
Antigua.

530. Governor Parke to the Council of Trade and Plantations. *Encloses* 3 Acts of Nevis. All temporary Laws shall be sent by the first opertunity after passed. I will endeavour to the utmost of my power to procure laws for establishing of Courts, but hitherto I have had no success. *Signed*, Daniel Parke. *Endorsed*, Recd. Aug. 6, Read 16th Nov., 1709. 1 *p.* [*C.O* 152, 8. *No.* 39; *and* 153, 10. *pp.* 401, 402.]

May 24.
Antigua.

531. Same to Same. *Acknowledges* letters of Nov. 25, Jan. 19 and July 13. Meeting the packett, I had not time to make my answer, but shall doe by this. I thanke your Lordshipps for haveing Mr. Tankard put out of the Councill. When ye Minutes of Councill arrives which I sent home in the last fleet, which sailed the 6th inst., your Lordshipps will see with what insolence he behaved himselfe on a publicke day, March 8th, and doe not doubt but I shall be thought to have acted with great moderation in this insult, as well as that of the Riot, though both was design'd to make me committ some rash action or other. It is true there was seaven Councellours at St. Christophers and att Antigua, when Coll. Phipps and Col. Byam were swor, and neither of them were in the list. I must have five to make a Councill if 3 of the 7 are and have been for some time and are like to continue in such a condition as not to be able to come to Councill. What shall I doe in such a case, I cannot act anything without a Councill, this was the case of both the Islands att that time. Coll. Williams is one of the

1709.

Councill in my instructions, but he never was sworne, and Major Lyons has not been able to come almost this 2 year in St. Xphers, Capt. Crooke never was above twice at Councill, and Capt. Willett sometime for 4 months together is not able to come. When I sent the lists, Col. Wm. Byam was not upon the Island though he has one of the best estates in it, neither was Major Samuel Byam, who has alsoe one of the best estates, they are both come since, and the reason I did not put in Col. Phipps was I then thought him too young, and his father-in-law Col. Crispe was of the Councill, and I did not thinke it proper to have father and son sitt together. When his father died I swore him in his place, he then being almost 3 years older. I protest I follow my instructions, and near as it is possible, but all accidents can't be provided against, and of two evills I ought to choose the least. I hope your Lordshipps will not think I have done amiss. They could not make a Councill at Nevis, Coll. Smith being off the Island, soe that at the request of the Lt. Governour and Councill I ordered John Norwood the Commissioner of the Customes to be swore. I hope your Lordshipps will lett him be confirmed. I am glad your Lordshipps have put in soe many out of the lists I sent it is a kindness to me, for when I put in one I disoblige four or five. I hope your Lordshipps will have soe much goodness for me as not to put in any that have signed Articles until they have proved them true. I obeyed your Lordshipps' commands to the uttmost of my power in what related to the negroes, in my letter of Aug. 23 last I asked severall of the best men what quantity of negroes would supply these Island[*s*] every year, and they all answer'd me soe that I was not able to make any tollerable judgmt., the merchants named about 1000, the Planters 2000, some 3000, other more modest said 1500. There is 3 Patent places, the Secretary, the Navall officer, and the Marshalls, they all give secureity and take oaths, the Deputy Secretary will not informe me either what his place is worth, or what he gives Sir Charles Hedges for it, there is noe sallary allowed to any of them, their profitts arise from their fees. I desired the Marshall (ever since I had your Lordships' first letter about it) to informe himselfe, which he has, and he tells me it is worth about £600 per annum. I must confess I never thought it worth halfe soe much. The Navall Officer is one Col. Williams, who is above 80 years old, yt. is worth about £300 per annum. The Marshall tells me he has made this year £120 besides some advantage he getts from French prissoners, the difference between this mony and sterl. is 50 p.c. I want a good Secretary that is a stranger. Sir Charles writt me that Mr. Rhodes would come and be Secretary. I wish he had, or any other that was a stranger. Indeed all the officers should be strangers, had there been a stranger Marshall, Mr. Poggson had been hanged for basely murdering Col. Johnson, and some others punished as they deserved. This present Marshall has been forced to fight severall duels, before he was able to doe his duty in quiet. I tooke

1709.

him out of the Regiment, being a briske bold young Gent. that carryed armes there. I begg your Lordshipps may have his Commission confirmed, he very well deserves it.

When I come to answer their second Article about Chester's murdering Sawyer, you will see how hard a matter it is to punnish an inhabitant, and how absolutely necessary it is to have all Ministeriall officers strangers. I will give your Lordshipps a little hint of that murder. Sawyer was a Gentleman's son of Virginia, he came here with a cargoe, he had some dealings with Chester and came in ye evening to speake to him. Chester takes up a great tankard of punch and flings it att him, and hitt him behind the ear, he staggered when he received the blow, went home, languished all yt. night, and the next morning he walked out complaineing of his head, but not being able to walke where he designed, he put into a house and there fell downe dead, the Jury brought it in that he died of an appoplexy, the reason I apeared in it was this, the Corroner sent a warrant to the Constable to summons a Jury of Inquest, they innocently tooke the first they mett among which there were severall masters and mates of shipps that were strangers, when they saw the returne of the jury, they were frightened, and this very Nevin and Dr. Macckennen went out of towne to meet the Corroner, and desired him to discharge those summoned, and to summons a jury of the Gentlemen of the Country, they had with them some of their friends for that purpose, sent for out of the country, the Foreman was one William Glanvill, who had had an inquest sometime before on a white servant-maid he had tyed up and unmercifully beat her so that she immediately dyed, and there came from her out of her mouth a great quantity of bruised blood (as those that were not of the Jury said), but the Jury on their oaths said it was liquid lodinum, and that she had poysoned herselfe. Mr. Sawyer had a great contusion behind his ear with the marke of the edge of the tankard, yett he died of fitts. I had at that time noe difference at all with Chester, nor with anybody else, my browbeating of evidence, *etc.*, was this:—I ordered the body to be brought out into the street, and exposed, and made everyone of the jury see the contusion, and had the wittnesses seperated and examined apart, by which means I discovered a great deale of roguery, and that a poor woman had been offered £50 (which she refused) to swear that the negroes in taking up the body had lett it fall on that side, which was the cause of the contusion. Daniel Mackennen, that worthy Member of the Assembly, and article subscriber, with another surgeon gave it as their opinion that he died of fitts, I asked them what they thought of the contusion, they gave me for answer only a politick shrugg; this was my first act of tyranny and breaking in upon their constitutions, and indeavors to ruin the Country. I had not concern'd myselfe, if I had not been told that the first Jury was discharged, and yt. William Granvill was sent for and made foreman, he being considerably in Chester's debt at yt. time. I would have sent your Lordshipps a duplicate of the Minutes

1709.

I sent by Capt. Buor, but the Secretary was not pleased to gett them ready, he has promised them against the next packett, but perhapps he will serve me as he used to doe, the last are soe ill writt, I wish they may be read, he getts those to write that will doe it cheapest. I shall send the Order of the Councill to Nevis about the two Laws repealed, and your Lordshipps' observations about that I sent home. I have your Lordshipps' orders for not passing laws of an extraordinary nature, which I shall religiously observe, had I not been soe nice and would apass'd their bill here for Privileges, I then should not only have been payd my sallary, there being due to me £2000, but I should have had a gratuity besides, as apears by a message sent me from the Assembly, and the next morneing one of their Members came privately to me and assured me that gratuity should be a good thousand pound. I leave your Lordshipps to judge if my refuseall of this Law, and £3000 is not a great argument of my avaritious temper as they charge me with in their article about the Chancery, though I gett nothing by holding a Court of Chancery but fatiegue, haveing noe fee, but I suppose they would insinuate bribeery, and then all ye Councill must be bribed, for they all sitt with me. I thinke I have answered every part of your Lordshipps' commands. The Councill and Assembly haveing formerly addressed me to make the Lieutenant Governour Chief Justice, I then refused it as not being willing to displace him I found possessed of it, though he was very unfittly quallified, being noe lawyer, and haveing murdered a man that had noe weapon, but he haveing layd downe, and the Councill once more addressing me to put in the Lieut. Governour, I did it, I hope it will not be thought I have acted amiss since there is noe other in the Island fitt for it but himselfe, being a good lawyer and has the reputation of a very honest man. It is very rare any writt of error are brought before ye Councill, there has not been any in my time, and if ever there should come any, there will be Councellours enough besides to try it, in Barbados, and other Goverments there are choice of men to be had, but it is not soe here, for except it be ye Lieut. Governour, there is not a man in the Island understands anything of the Law. *Signed,* Daniel Parke. *Endorsed,* Recd. Aug. 8, Read Nov. 16, 1709. 5 *pp.* [*C.O.* 152, 8. *No.* 40; *and* 153, 10. *pp.* 403-412.]

May 24. Antigua. **532.** Same to Same. I had not the honour to receive any command from your Lordshipps by this packett, but by the dilligence of my Agent Mr. Micajah Perry, I had a coppy of the articles sent. Indeed it is noe wonder to us all now they were soe very carefull to swear people to secrecy, before they would lett them be seen, they talked of noe less then fourscore at first, and as I am informed soe many wer sent up with their Ambassadour to Coll. Codrington and he reduced them, and licked them into ye forme they now apear in. I must confess were they true, or but any one of them, I very well deserve to be hanged, but they are all falce, notwithstanding the affidavits they have gott to support them. I hope to recieve from your Lordshipps by ye next packett directions how and before whome I shall answer them though almost all of them are already answered in the Minutes of Councill. Your Lordshipps will find that some of the Articles will be much to my honour, even that of the Chancery, which they say all good people look upon with horror. Your Lordshipps will find it is only Mr. Nevin and Samuel Watkins, and all bad people thinke of it with horror, as they have reason, could Mr. Baron or 20 more I could name bring there causes before me, their adversarys would look upon the Chancery with horror. I am soe cautious that I never sitt in Chancery, but all the Councill sitts with me as if they were sitting in Councill, and I aske their opinions in the same manner, it is very true I have often publickly told Nevin I would have noe manner of regard to what he should avver to be Law for two reasons, first because he is no Lawyer, and the next is I have noe opinion of his integrity, but whenever we had any cause that admitted of a dispute, we have stated the case home, with orders to the partys to bring us the opinion of two able Chancery men, and I shall governe myselfe accordingly. I shall send your Lordshipps the proceedings of ye Chancery in answer to this Article, by which you may see if there be the least reason for such a villanous reflection; what villany is couch'd under the first article, and all that for noe other purpose but to take of those two great persons from doeing me any more good, but I hope I have the honour to be soe well knowne to them that it will make noe impression on either of them to my disadvantage, they had as I am informed a worse article of this kind, and to support it gott one Kate Sullivan's affidavit, she was formerly Codrington's wench and she layd two bastards to him, but she giveing him the pox, he turned her off, but haveing occasion for affadavitts, she was sent for to lend an oath, but it soe happned that some time after she fell sicke and thinkeing she should die, she confessed she had perjured herselfe, for which she had £16 given her, and that Perrie, Tankard, etc. had subscribed a paper to give her £100 more if the Genll. was turned out, that article I find is left out, it relateing to a great Lady, but soe very scandallous, I dare not mention it, though Codrinton has been heard to report it in Barbados, little dreaming his Irish wench had soe squeamish a conscience. I find myselfe well rewarded in the 9th article for all the fatiegue and charge I underwent about those lines at St. Johns, which your Lordships will find in the Minutes of ye Councill now before you were done by virtue of a Law made by myselfe, Councill and Assembly, had I a mind to have delivered them up to the French, would it not a been as easy for me to a carry'd them to Monk's Hill, and done it there as at St. Johns. I have never done anything but with the advice of my Councill, I have sometimes acted by theire advice though contrary to my owne opinion, but never acted in any one thing without them as the Minutes will make apear. The two bribes I am charged with

1709.

to have recieved from Mr. Chester, the £150 for some brandy, his account will make that apear to be falce. I never had one farthing of him in my life in ready-money, I payd him £800 sterl. for 20 negroes, there was a mistake in that account, and I can prove I told him of the mistake many months before ye brandy, and the next time I settl'd another account with him, which was above 6 months after the brandy, hee allowed me this mistake, and that it may apear how carefull I was to have the brandy seized haveing put centrys at almost all the warehouses in towne, but when my friends told me the whole Island would be strangely alarmed at it, I order'd the centrys to be taken of, but before I did it, I sent for the Collector and Navall Officer, and ordered them with their officers to goe and search for prohibited goods, for that I had an account that a great quantity of brandy had been landed the night before, they told me they could not break open doors without a warrant, I sent imediately for ye Deputy Secretary, and order'd him to write two warrants, which I signed, but not haveing officers enough, whilst they were searching one place they removed it to another; as I am inform'd there was to the vallue of £1500, if I had seized it, I should have got £1000, what reason had I to quitt £1000 for £150, to an enemy. This shall apear by the affidavitts of the Collector, Navall Officer and Depty. Secretary, (who is one of my enemys) and by Chester's owne account, and for the tenn barrils of flower I am charged with, Mr. Roach was by, he will clear me of that suffitiently; Chester himselfe for severall months has been ashamed of it, and curses those that put him upon it, he was enraged at looseing his Dutch cargoe, and they made him quite madd by telling him twenty storys wch. he has since found to be falce, that at that very time he was heard he would be content to lye seaven years in Hell to be revenged of me, and now repents of it, and never goes near any of them. I will not trouble your Lordshipps with any more of them now, they never expected this, they were in hopes £5000 would turne me out, the articles were only designed for a pretence. Yet I must say something to the 14th article. I gave that Order; the Councill and Assembly haveing addressed me soe to doe, and I daresay it is in the Minutes sent home, if not it shall be sent. When I gave that order, I told them it should only be in force untill they could make a Law, to exempt the Islands from paying powder, but they neglecting soe to doe, I countermanded my order, this is my suspending the Laws, this I take notice of because I find it in the petition of the London Merchants. I had hithertoo Charity enough to thinke it was only their factors here that drove only a trade to the Dutch and French Islands with their effects, and that it was they alone that used tricks to defraud the Queen of her 4½ p.c., but this Petition of theirs has altered my opinion, this zeal of theirs could not proceed from nothing, it is strange to thinke soe many men should desire an injustice to be done on hearsay. My Lords, the Queen has noe friend here but myselfe, and if a Governour is to be removed when the merchants don't like him, he must either not doe his duty, or if he does he must expect to be turn'd out for his reward, those merchants echo what those that have signed the Articles have writt to them, the fresh articles they say is my neglect of the fortifications, the Minutes will testifie how often I have pressed that to the severall Assemblys. I hope they don't expect I should build them at my owne charge. Then for the enemy's landing and takeing of negroes, there never has been one negroe taken of since I came, but before my time there was a great many taken of forty at one time, they alsoe intimate as if I open'd their letters, for my justification the officers that have allways given them out and taken them in shall make their affidavitts, that directly nor indirectly I never gave them any manner of orders, or ever concerned myselfe about them, they bring me my letters when the Packett arives, and they call for them when she sayles. They might have as well put in their Petition that I was a Mahometan or a Jesuit. *Signed,* Daniel Parke. *Endorsed,* Recd. Aug. 8th, Read Nov. 16th, 1709. 4 *pp.* [*C.O.* 152, 8. *No.* 41; *and* 153, 10. *pp.* 413-420.]

May 24. Whitehall. **533**. The Earl of Sunderland to the Council of Trade and Plantations. *Encloses following,* H.M. being desirous to have your advice, and particularly to know from you when Port Royal was taken by the French. *Signed,* Sunderland. *Endorsed,* Recd. Read May 25, 1709. 1 *p.* *Enclosed,*

533. i. Address of the Council and Assembly of the Massachusetts Bay to the Queen. Oct. 20, 1708. It's nothing short of 20 years that your Majesties good subjects of this Province have been wasting under the calamitys of a distressing and expensive war, takeing the commencement thereof from the rebellion and eruption of the Eastern Indians in 1688, save only the intervention of 3 or 4 years cessation after the Peace of Reyswick, during the continuance whereof they forbore to commit their bloody villanies and outrages. The French not daring then openly to avow, assist and protect them therein, yet in those years we were put to a very considerable charge in keeping constant guards and espyals over them to prevent surprisals by their perfidy and treacheries. And very soon upon the new declaration of war with France, they broke out again in open rebellion and hostility, committing divers barbarous murthers, just after a repeated and fresh recognition of their duty and allegience to your Majesty. We have been sharers in common with other our fellow subjects to a great degree in losses both of men and estate at home and at sea, both in the former and the present war, our trade is greatly diminished and we are very much exhausted, our yearly expence for our necessary defence, and to prevent the incursions of the enemy, is vastly great. But by the good Providence of God, in the early advice from time to time

given of the motions of the enemy, and the prudent methods taken by your Majesty's Captain General to observe them, and preparations made for their reception in their descents upon us, has prevented those impressions which probably we might otherwise have felt, and they have been forced to return back ashamed, not without loss on their part. But we have no prospect of the end of these troubles and of being eased of our heavy and insupportable charge and burthen, whilst we can act only defensively, and have to doe with enemys and rebells within our very bowells, who like beasts of prey, seek their living by rapine and spoil, and are such monsters that their barbaritys and crueltys are horrendous to humane nature, and they are animated and encouraged to such barbaritys by the French setting the heads of your Majesty's subjects at a price upon bringing in their scalps, and they kill many in cold blood after they have received them to quarter; they have the advantage of retiring for shelter to the obscure recesses of a vast rude wilderness, full of woods, lakes, rivers, ponds, swamps, rocks and mountains, whereto they make an easy and quick passage by means of their wherries, or birch canoes of great swiftness and light of carriage, the matter whereof they are made being to be found almost everywhere, and their skill and dexterity for the making and using of them is very extraordinary, which renders our tiresome marches after them inaffectual. These rebels have no fixed settlement, but are ambulatory and make frequent removes, having no other houses but tents, or hutts made of bark or rinds of trees, matts, etc., which they soon provide in all places where they come, so that it is impracticable to pursue or follow them with any body of regular troops; they are supported and encouraged by the French who make them yearly presents gratis of cloathing, armes and ammunition, besides the supplys they afford them for the beaver and furrs which they take in hunting, and constantly keep their priests and emissaries among them to steady them in their interests, and the bigoteries they have instiled into them. The French also oftimes join them in their marches on our frontiers. We humbly conceive, with submission, that the most probable method of doing execution upon them and reducing of them, is by men of their own colour, way and manner of living. And if your Majesty shall be graciously pleased to command the service of the Mohawks and Nations of the Western Indians, that are in friendship and covenant with your Majesty's several Governments, against these Eastern Indian rebels, for which they express themselves to stand ready, and to whom they are a terrour, they would, with the blessing of God, in short time, extirpate or

1709.

reclaim them, and prevent the incursions made upon us from Canada, or the East. The force of the Enemy is chiefly bent against this your Majesty's Province and Province of New Hampshire, whilst we are a barrier to ye others. A letter from Monsieur Vaudreuil, Governour of Canada, to Mr. Brouillan, late Governour of Port Royal, was sometime since happily intercepted, and came to our Governour's hand, wherein he writes thus, namely, that he endeavours to keep all quiet on the side of Orange (or Albany) having command from the King his Master not to have any quarrel with your Majesty's subjects on that side, or with the Mohawks, which he hath strictly observed, and they are in a profound peace, having met with little or no loss on the land side, either in men or estates this warr, which has proved so very chargeable and grievious to us, in respect of both, which we made bold humbly to represent to your Majesty in 1704 *etc.* In the former war, when your Majesties subjects of Albany with their dependant Indians acted offensively against the enemy by partys frequently issuing forth into the woods, they greatly distressed the French and the Indans in their interests, made considerable spoils upon them, and prevented the descents from Canada upon these Plantations, which now are frequent. We pray leave in most humble manner further to offer to your Royal consideration the very great disadvantage this your Majesty's Province is at all times under, more especially in time of warr, by reason of Port Royal remaining in the hands of the French, which was originally a Scotts Colony granted and begun, and is included in the Royal Charter, or Letters Patent of this Province granted by their late Majestys King William and Queen Mary; the situation whereof makes it a Dunkirk to us with respect to navigation, it lying so apt and commodious for the intercepting of all shipping coming to, or going from hence to the eastward, and is a fit receptacle for privateers, who can soon issue out thence, and are near hand to send in their prizes, as also to annoy our Fishery, whereof we have had frequent experience, to the very great hurt of the trade of our Nation, and the diminution of your Majesty's Revenue. If your Majesty shall be graciously pleased, during the continuance of the present war, by your Royal Armes to reduce that Countrey and take it by force out of the French hands, or if by the blessing of God the just armes of your Majesty and your Allies be followed with repeated glorious successes, as of late they have been, so that the French King find himself under a necessity of suing for peace, and a treaty be thereupon negotiated, and your Majesty in your princely wisdome shall think fit, that place may have a consideration in that Treaty to be restored to your Majesties obedience, and setled by your Majesty's British subjects. It will be of the last importance to your Majties. good subjects, trading to and from these Provinces, and a general security to them, and also of singular benefit and advantage for the providing of masts for the use of your Majesty's Royal Navy, whereof that Countrey affords great plenty, which are now grown scarce nearer hand, and prevent the French King of that yearly supply he has from thence of Naval Stores. *Signed by Order,* Isa. Addington, Secry. Council; Thomas Oliver, Speaker. 2 *closely written pp.* [*C.O.* 5, 865. *Nos.* 16, 16. i.; *and* 5, 913. *pp.* 66-74.]

May 24. London.

534. Mr. Tryon to [? *Mr. Popple*]. *States* English claim to St. Kitts. H.M. having made grants of several Plantations in ye French part during the warr, which are now settled at great expence, the restoreing them to ye French must prove very ruinus to ye present possesors, if a recompence be not made, *etc.* The weak condition all those Islands are now in makes it highly necessary for their safety, that a cessation of hostilletys, with a time fixed for restitution of what shall be taken afterwards, be obtain'd as soone as possible, the only man of warr they had for a gard being taken, and ye enemy's privaters being very numerus exposis them to ye danger of haveing their negroes etc. carried of, all suplys intersepted, and upon a prospect of peace ye enemy wont faile to improve their time as much at our expence as possible, as has allways been usuall with them at such junctures, *etc.* *Signed,* Rowld. Tryon. *Endorsed,* Recd. 25th, Read 27th May, 1709. 2 *pp.* [*C.O.* 152, 8. *No.* 17.]

May 24. Crotchett Fryers.

535. Mr. Merrett to Mr. Popple. *Reply to* May 19. *Refers to enclosure.* When the last peace was concluded, our trading ships abroad did not enjoy the Peace but in several places and latitudes therein specified, so that the enemy tooke more merchant ships within two months before and after the peace took place than they tooke in all the yeare before, from which it may be presumed that severall ships were fitted out by the enemy for that intent, wherefore I humbly offer that it will highly conduce to the safety of trade that in the Peace now on foote, one article may be that all ships taken on either side after the date of the Peace, (or sooner if it shall be thought convenient) shall be restored to the Proprietors in the same condition they were in when taken, which if published may prevent the capture of a great many ships, especially those comming home from long voyages. The duty French shipping paid here, which occasioned them to lay the same on our shipping in France, was much to the prejudice of our shipping, as we had and may have 20 times the ships go to France, *etc.* *Signed,* Solomon Merrett. *Endorsed,* Recd. 24th, Read 27th May, 1709. $1\frac{1}{4}$ *pp.* *Enclosed,*

535. i. Merchants trading to Newfoundland to the Council of Trade and Plantations. Repeat former statements as to French encroachments and the value of the Newfoundland fishery. London, May 21, 1709. 18 signatures. 1 *p.* [*C.O.* 194, 4. *Nos.* 91, 91. i.; *and* (*without enclosure*) 195, 5. *pp.* 91, 92.]

May 24. Whitehall. **536**. Mr. Popple to Mr. Taylour. *Reply to May* 23. 40/s a day per 100, would be a competent provision for the German Refugees. And whereas the 1100 Germans last arrived are still on ship-board for want of proper places to put them in, the Council of Trade and Plantations propose that they be lodged for the present in a large rope yard at Deptford, now not in use, and which might be fitted up for them at a small expence, *etc.* [*C.O.* 389, 36. *pp.* 407, 408.]

May 25. **537**. Abstract of the list of the German Protestant Refugees. (*See* May 9.) *Endorsed,* Recd. Read May 25, 1709. 1 *p.* [*C.O.* 388, 76. *No.* 62; *and* 389, 36. *p.* 410.]

May 25. Petty France, Westminster. **538**. Mr. Chamberlayne to [*Mr. Popple?*]. Encloses following. *Signed,* John Chamberlayne. *Endorsed,* Recd. Read May 25, 1709. 1 *p.* *Enclosed,*

538. i. Proceedings of a Committee for lodging and relieving the German Protestant Refugees. Temple Exchange Coffee-house. May 20-24, 1709. 3½ *pp.* [*C.O.* 388, 76. *Nos.* 60, 61; *and* (*without enclosure*) 389, 36. *p.* 409.]

May 25. **539**. Rowland Tryon to [? *Mr. Popple*]. H.M. predecessors have always claimed St. Lucia, Dominico, Tobago, *etc.*, notwithstanding the French have at times possesst several of them, when both nations were in peace, but the Governors of Barbados have as often sent and disposest them, particulerly from St. Lucias. The French have allways with great industry cultivated a frindship with the native Caribbeans and fomented ye cruilltys frequently exercised by those canibals upon the English and countenance that nest of barbarus natives and runaway negroes yt. are setled upon St. Vincents and Dominico. Allso when any negroes run of from Barbados, or any other of our Islands to theirs, they have always refused to deliver them when demanded, tho in times of peace. It would be of grate advantage to the Nation if liberty could be obtained to export our woolen manufactorys, herrings etc., from Britain and the British Islands to those possest by ye French, wch. by their Laws and allso by a Treety between them and the Dutch we are debar'd. Barbados is well scituated for all the trade to those parts of the Spanish West Indies that lye from the River Amasones to Rio Delahateh, therefore grate regard ought to be had to that trade, for generally we can go and come between those costs and Barbados upon a stretch with a Trade wind. It's allso to be observed if the French should be suffered to keep

1709.

Petiguavas, they will by degrees possess themselves of all Hispaniola. *Signed,* Rowld. Tryon. *Endorsed,* Recd. 25th, Read 27th May, 1709. 1¾ *pp.* [*C.O.* 28, 12. *No.* 20.]

May 25. **540.** Richard Harris to Mr. Popple. Sir B. Gracedieu shewed me your letter of May 19. What seems absolutely necessary, especially for Jamaica, is to remove the French from among our settlements in America. In Canada they have prevented the people of New England for many years from extending the limitts of that Country. What they have done at Newfoundland is wel known. By being fixed att Martinico and Guadalupa, they intercept all ships coming with provisions from our Northern Colonies, without a supply whereof the planters must suffer and their negroes perish, which was the case of Barbadoes in 1694, when of 27 such vessels 24 were brought in by privateers to Martinico in 4 months. But the French settlements on the north side of Hispaniola, now called La Coste de Sta. Domingo are a sad and greivous thorne in ye side of Jamaica, which were first begun by malefactors or others banished from France, and were farther improved by the bucaniers and other pirates setling among them, who durst not returne to their country, but in ye first warr after the Revolution, the French subjects being drove from St. Christophers went down thither and largely extended those settlements, etc. *described.* It may justly be computed that the French are in possession of more than ⅔rds of that fine Island, which by degrees they have tho' unobserved and without noise possessed themselves of in a very few yeares time. From hence arise 3 great mischiefs to Jamaica and Great Brittain, (1) The productions of Hispaniola being the same as those of Jamaica hinder the vent of ours among our neighbours, (2) In time of peace they wil quickly interfere with us in our trade with the Spaniards. (3) In time of warr those of Hispaniola lying to windward of Jamaica, and but 25 leagues distant, can in a sudden invade and, before our inhabitants can have any notice, which was the case when M. Du Casse invaded it in the late warr, *etc.* Whether the French may be forced to yeild up these Colonies again to ye Spaniards, I know not, *etc.* *Signed,* Rd. Harris. *Endorsed,* Recd. Read May 27, 1709. 2½ *pp.* [*C.O.* 137, 8. *No.* 40.]

May 25. **541.** Arthur Freeman to the Council of Trade and Plantations. Prays the Board to write to Governor Parks about the Act *to enable Robert Freeman,* etc., sent over by them in 1707, or that he may have it pass here. *Signed,* A. Freeman. *Endorsed,* Recd. Read May 25, 1709. ¾ *p.* [*C.O.* 152, 8. *No.* 16.]

May 25.
Jamaica. **542.** Governor Handasyd to the Council of Trade and Plantations. Since mine of the 1st inst. sent by the *Tiger* of Bristoll, nothing extraordinary has happened. In a sloop taken by H.M.S. *Roebuck* bound from Cuba to Carthagene letters were found that give advice of a French squadron's being arrived, or was every day expected at Carthagene, and directions were

1709.

therein sent to prepare their effects to ship on board them; the truth of it I must confess I much question, the Spaniards and French very often giving out false reports. The galleon is still at Carthagene and a great fleet at La Vera Cruz, and also some ships at Havanna, all which I am informed are very rich. I have already given your Lops. an acct. of the success H.M.S. *Portland* has had in the taking a French Guinea-man off Porto Bell, in which engagement the French own they lost 90 men, besides what were wounded. I had on board the *Portland* 50 soldiers, of which double the number were killed and wounded that there was of sailors. The great ffitigue the Regiment is under by serving on board the men of war, having had there at once betwixt 2 and 300 men, and the hard duty at land, is the occasion I shall want a great many recruits, if the Regiment is not relieved, and therefore I hope your Lops. will befriend the Agent and my officers in that affair, that I may not lie under the censure of not having done my duty, if any attempt should be made. I send the Acts passed the last Sessions, with the Minutes of the Councill and Assembly, and an account of the stores as near as I can from the time of my entring into the Government, which I likewise send to the Board of Ordnance. I am now very busy in repairing the fortifications and making a new line for guns at Port Royall. This packett goes in H.M.S. *Severn* accompany'd with the *Scarborough*, and 15 or 16 merchants ships under their convoy. The men of war have on board them considerable riches, and I hope they will have a good voyage. Our sloops are all returned from the Spanish coast; who say they have had very indifferent trade especially in our woolen manufactures, and have sold little or nothing but negroes, for the Spaniards complain they have not mony to buy them necessarys. The Island is at present healthy and likewise the men of war, but very thin of sailors, for they would not be able to send a ship to sea without a third part of their complement were soldiers. *Signed,* Tho. Handasyd. *Endorsed,* Recd. Aug. 6, Read Nov. 11, 1709. 3 *pp.* *Enclosed,*

542. i. Account of stores of war at Jamaica Dec. 12, 1705 —May 24, 1709. 4 *pp.*

542. ii. Account of stores of war issued for land and sea service. *Endorsed,* Recd. Aug. 6, 1709. 1 *p.* [*C.O.* 137, 8. *Nos.* 64, 64. i.,ii.; *and* (*without enclosures*) 138, 13. *pp.* 34-37.]

May 26.
Jamaica.

543. Governor Handasyd to the Council of Trade and Plantations. I must in a particular manner recommend to your Lops.' favour the confirmation of a private Act for the sale of part of the estate of George Joy Esq. decd., whereby the ffamily of that gentleman, whose behaviour in his lifetime deserved very well of the Government will be preserved from ruine, and his creditors be satisfied their just debts, a matter which could by no other means be effected. *Signed,* Tho. Handasyd. *Endorsed,* Recd. Aug. 6, Read Nov. 11, 1709. 1 *p.* [*C.O.* 137, 8. *No.* 65; *and* 138, 13. *p.* 13.]

1709.
May 26.
Craven House.

544. Lords Proprietors of Carolina to the Council of Trade and Plantations. It having been represented to us that the French about 8 years since made several settlements upon the river Messisippi, which settlements if they are suffered to continue will be of dangerous consequence not only to the Province of Carolina, but very prejudicial to all other H.M. Colonies in America, we therefore desire that your Lops. upon this occasion of a Treaty for a General Peace, would lay this matter before H.M. in Council, that the French may be obliged to relinquish such settlements for the security of all H.M. Colonies and Plantations, which are of so great consequence to the Crown and People of Great Britain. *Signed,* Craven, Palatine, Beaufort, Craven for the Lord Carteret, M. Ashley, J. Colleton, J. Danson. *Endorsed,* Recd. Read May 30, 1709. 1 *p.* [*C.O.* 5, 1264. *No.* 68; *and* 5, 1292. *p.* 136; *and* 5, 289. *p.* 219.]

[May 27.]

545. William Atwood to the Council of Trade and Plantations. Petitioner, late Chief Justice of New York, having notice that a letter is come from the Governor of New York to desire one who succeeded him may be continued in possession, acquaints your Lordships that a report from Mr. Attorney, when Solicitor, upon his claim to a restitution lyes with ye Earle of Sunderland to be presented to H.M. with a petition against him, falsely suggesting that, upon a report from ye Board, his suspension by ye Lord Cornbury was confirmed by H.M. *Prays* the Board, that, if they acquaint H.M. with ye Governor's desiring his successor's continuance, they will at ye same time certify petitioner was never heard at the Board upon any complaint against him, *and asks* for papers, etc. *Signed,* Wm. Atwood. *Endorsed,* Recd. May 27, Read June 9, 1709. 1½ *pp.* [*C.O.* 5, 1049. *No.* 103; *and* 5, 1121. *pp.* 368, 369.]

[May 27.]

546. Col. Jory to the Council of Trade and Plantations. *Refers to* the miserable condition of the 4 hostages carried off from Nevis by the French to Martinique. [1706]. *Insists* on the necessity of making St. Kitts altogether English *etc.* *Signed,* Jos. Jory. *Endorsed,* Recd. Read 27th May, 1709. 1¼ *pp.* [*C.O.* 152, 8. *No.* 18.]

[May 27.]

547. Constantine Phipps to the Council of Trade and Plantations. Similar memorial *re* St. Kitts. *Signed,* Con. Phipps. *Endorsed as preceding.* 1 *p.* [*C.O.* 152, 8. *No.* 19.]

May 27.

548. Mr. Campbell to the Council of Trade and Plantations. A deduction of the English title to Newfoundland, and an account of French encroachments (*cf.* May 19). The losses susteyned from the French by H.M. subjects trading in and to Newfoundland during this warr only amounts by a very modest computation to £300,000 sterl., wherein I have the misfortune to be a large sharer. *Signed,* Ja. Campbell. *Endorsed,* Recd. Read May 27, 1709. *Addressed.* 2 *pp.* [*C.O.* 194, 4. *No.* 92.]

1709.
May 30.
Whitehall.

549. Mr. Popple to Mr. Attorney General and Mr. Solicitor General. Whereas many poor people are lately arrived from the Palatinate in Germany, most of whom are husbandmen, and H.M. being desirous they should have relief, *etc.*, the Council of Trade and Plantations desire your opinion to-morrow morning if possible, (1) whether H.M. has a right and power by law to grant parcells of lands in her forests, chaces and wasts to any of her subjects, with licence to build cottages and inclose the said lands, in order to convert the same to tillage and husbandry; (2) what security H.M. may give to indemnify the respective parishes from the settlements of poor families amongst them, who shall be admitted to dwell in the said cottages. [*C.O* 389, 36. *pp.* 411, 412.]

June 1.

550. Attorney and Solicitor General to the Council of Trade and Plantations. *Reply to preceding.* (1) H.M. has a right to grant such parcels of lands for any term or estate not exceeding 31 years, or 3 lives, or for a term of years determinable upon one, two or three lives, *etc.* (2) No such security is required by law to be given, *etc.* *Signed,* Ja. Mountague, R. Eyre. *Endorsed,* Recd. Read June 1, 1709. 1 *p.* [*C.O.* 388, 76. *No.* 63; *and* 389, 36. *pp.* 412-414.]

June 1.

551. A second list of 1193 Palatines lately come over from Germany, taken by John Tribbeko and Mr. Ruperti; Walworth, May 27, 1709. (*cf.* May 9). *Endorsed,* Recd. Read June 1, 1709. 30 *pp.* [*C.O.* 388, 76. *No.* 64.]

June 1.
Whitehall.

552. Mr. Secretary Boyle to the Council of Trade and Plantations. Encloses following. *Signed,* H. Boyle. *Endorsed,* Recd. 2nd, Read 3rd June, 1709. 1 *p.* *Enclosed,*

552. i. United Society of London for Mines Royal to the Queen. Proposal for settling the German Protestant Refugees in the Manor of Penlyn (Snowdon) *as May* 23. 2 *pp.* [*C.O.* 388, 76. *Nos.* 65, 65. i.; *and* (*without enclosure*) 389, 36. *p.* 421.]

June 1.
Whitehall.

553. Council of Trade and Plantations to the Earl of Sunderland and the Lord High Treasurer. (*See* May 3, 9, *etc.*) As to the settlement of the poor Palatines here, 'tis certain that a multitude of people is the glory and strength of a Government; that many hands contribute to the increase of trade, and the increase of trade naturally tends to the increase of wealth. And of this we have a famous instance in Queen Elizabeth's reign, when many Dutch and Walloon families, to avoid the persecution of the Duke of Alva *etc.*, were seated at Norwich *etc.* But then 'tis to be observed these families brought with them considerable stocks to set up a new manufacture of bays, says, stuffs and serges; which England till then was unacquainted with. The case of the poor Germans is quite different: they have neither stock nor manufacture, most of them women and children; a great many of them, through age and infirmities

1709.

past their labour, others (not a small number) not come to it; some of them more fit for alms-houses than work-houses; there are 2000 already arrived, besides others that are expected, and many more that will probably follow, unless some discountenance be given to the transporting of them hither, until those already arrived be disposed of. *Quote* Attorney and Solicitor General (*No.* 550) and *discuss* methods of settling the Palatines in England. [*C.O.* 389, 36. *pp.* 414-420.]

June 2.
Whitehall.

554. Council of Trade and Plantations to Mr. Secretary Boyle. *Reply to* May 17. Enclose following.

554. i. Council of Trade and Plantations to the Queen. We humbly represent that, in relation to *Hudson's Bay*, that part of your Majestys Dominions being under the direction and management of a Company of merchant adventurers of this kingdom, by virtue of letters patents of incorporation 1670, we have been attended by the Governor, who has delivered to us a printed deduction of your Majesty's right and title to the said Hudson's Bay, and all the places thereto appertaining, which, being very particular and agreeable to what we find in our own books, we take leave to annex the same hereunto. We have also received from the said Company a Memorial, relating to the damages sustained by them, from the French, which is also hereunto annexed. Upon which we humbly take leave to remark that your Majestys title to Hudson's Bay is clearly and evidently made out by the foresaid deduction, and by the report of the Commissioners appointed to treat with the French Ambassador in 1687, added to the forementioned Memorial, notwithstanding any claim the French may pretend thereunto. And the Company having informed us that they have appointed two of their members to attend your Majesties plenipotentiaries, when a Treaty with the French shall be set on foot, in order to prove the several matters in the said deduction, as also the several allegations in their foresaid Memorial, relating to their losses, we shall only humbly offer that a very great advantage will accrue to this Kingdom, were the Company reinstated in their right, according to their Charter, by the fur trade from those parts, by the importation of other commodities, particularly whale oyl and whale bone, which might be had in plenty there, and by the exportation of our woolen manufactures, which the Indians are now perswaded to wear instead of skins. In relation to *Nova Scotia* or *Accadie*, to the boundaries on the Northern Continent and to the incroachments made by the French upon your Majesties territories in North America. Terra Nova (by Peter du Val called Nova Britannia) comprehends not only the Island of Newfoundland, but also Nova Francia or Canada, and

1709.

Nova Scotia, and Sir Sebastian Cabbot was the first discoverer of all these countries in 1497, at the charge and for the use of King Henry VII, who had employed him to find out some Northern parts of America undiscovered by Collumbus. King Henry VIII and Queen Elizabeth continued the English interest there. In the year 1604 or 1606, the French possessed themselves of Accadie, part of Nova Scotia, lying on the South side of the River Canada, and named the whole Nova Francia, upon pretence that John Varazonus discovered these parts for the French King, Francis I. But this pretence of theirs has been fully answer'd by the Hudson's Bay Company before the Commissioners appointed by King James II for executing the Treaty of Neutrality in America in 1687. King James I, looking upon this encroachment of the French as an invasion of his right, did, by Letters Patents, dated Nov. 3, 1620, grant all the lands lying between the degrees of 40 and 48, Northern Latitude, and extending from the East sea to the West sea, unto the then Duke of Lenox and others, by the name of the Council of Plymouth. In 1621, the country of Nova Scotia was more particularly granted by King James I to Sir William Alexander afterwards Earl of Sterling, who took possession thereof, drove out the French, and planted a Colony there. In 1627, King Charles I being at war with the French King Lewis XIII, granted a Commission to Sir David Kirk and others to take possession of the lands lying on both sides of the River Canada, and to expel and eject all the French trading in those parts, wherein they succeeded, and that year seized upon 20 French ships, which, together with the Commanders and seamen, they brought for England; and in 1628, they possessed themselves of that part of Canada situated on the North side of the river with the Fort of Quebeck, while Sir William Alexander at the same time subdued all Accadie or Nova Scotia. In 1630, Sir W. Alexander sold his right to Monsieur Claude de la Tour, a French Protestant, to be held by him and his successors under the Crown of Scotland. About 1631, King Charles I made (as wee have been informed), some sort of concession of the said country to the Crown of France (unto which the French had not till then any title, for it was both discovered and planted by the subjects of England, and named Nova Scotia by King James I), reserving nevertheless the right of the Proprietor who had before enjoyed it. In 1633 (notwithstanding the foresaid concession) King Charles I, by Letters Patents dated May 11, 1633, granted to Sir Lewis Kirk and others full priviledge not only of trade and commerce, even in the River of Canada (which is to the Northward of Nova Scotia)

1709.

and places on either side adjacent, but also of planting Colonies and building ports, and bulworks, where they should think fit; by which it may be reasonably concluded that the fore-mentioned concession (whatever it were) was not understood to have been an absolute grant and alienation of the said country from the Crown of England. But nevertheless Sir Lewis Kirk and partners were molested by the French in the enjoyment and exercise of the abovesaid priviledges. Many years before this, the country about Penobscot, lying to the westward of Nova Scotia, had been discovered by some of the inhabitants of New Plymouth, who seated themselves there, but were also afterwards sometimes disturbed by the French Governor of Nova Scotia. In 1654, Cromwell having a fleet at New England, caused the country of Nova Scotia to be seized, as being antiently a part of the English Dominions to which the French had no just title; and the Proprietor of the said country, Sir Charles de St. Estienne, son and heir to the forementioned Monsieur de la Tour, coming thereupon into England, and making out his title under the foresaid Earl of Sterling and the Crown of Scotland, his right was allowed of by Cromwell, whereupon the said St. Estienne by his deed, bearing date Sept. 20, 1656, made over all his right and title, both to Nova Scotia and Penobscot, to Sir Thomas Temple and Mr. William Crown, one or both of them. The said Temple and Crown, or one of them, or their assignes, did accordingly continue to possess and enjoy the same, with the profits thence arising, until 1667, in which year it was agreed between King Charles II and the French, by the Treaty of Breda, that the said country should be surrender'd to the French, which was accordingly done (by H.M. directions, as appears by his Order to that purpose) in 1670, by Sir Thomas Temple, then residing as Governor upon the place. But in the execution of that surrender, it has been represented to us that the said Temple exceeded his Commission, and delivered up Penobscot also, at which King Charles II was highly displeased, and did not confirm ye same. Not long after, a war broke out between France and Holland, in which the Dutch took the Fort of Penobscot from the French, demolished it and quitted it. King Charles II thereupon ordered and commissionated the Governor of New York to take the same under his jurisdiction, which was accordingly done; and the said country, extending from a place called Pemtagoet, Westward to the River St. Croix Eastward, and was annexed to the Government of New York, by the Duke of York's Patent for the same, and in prosecution thereof (the French still keeping possession of some parts of it) Sir Edmund Andross,

1709.

when Governor of New York under the Duke, invaded them by force, and took the habitation of one Monsieur St. Costine, a Frenchman. In further proof that the River St. Croix was esteemed by the French, as well as by us, their boundary of Nova Scotia since the Treaty of Breda, we annex hereunto the copy of a Memorial upon that matter from Captain John Alden of Boston in New England, formerly employed by Sir Thomas Temple, and transmitted to us from thence by the late Earl of Bellomont. In 1691, not only the country of Penobscot, but also Nova Scotia, was by Charter of the late King William, granted to the Colony of the Massachusets Bay, and annex'd to that Government. It is to be observed that during Sir Thomas Temple's residence in and Government of those parts, he having been at great charge in building forts and otherwise for the protection of our fishery did levy £5 upon every fishing vessel that cured and dryed their fish upon that shoar. And accordingly after the surrender of that country by him, the French at first contented themselves with the same duty, but in process of time, some of their Governors claimed also the whole right of fishing upon the high seas, and have accordingly caused several of our vessels fishing there to be taken and made prize of. *As to the encroachments of the French in those parts*: About 1687 or 1688, the Eastern Indians, together with the French of Canada, committed several barbarous acts of hostility upon the Eastern frontiers of New England, and during the late and present war, have continued the same both by land and sea. In 1690, in an expedition under the command of Sir William Phipps, Port Royal, together with all the Southern Cape of Nova Scotia, was reduced under the subjection of the Crown of England; but not long after was retaken by the French, and has ever since continued in their possession. In 1696, several French men of war invaded the Eastern coast of New England, and took and demolished the fort at Pemaquid, whereupon the inhabitants of that country fled, and by reason of the insecurity of the place for want of that fort, have not since returned. The French pretend to and peremptorily challenge the sole right of fishing upon the Banks lying on the high seas off and about the coast of Accadie or Nova Scotia, as also that Eastern country which has all along, ever from the discovery and first settlement of New England, been used and improved for fishing as the just right and priviledge of the English. They pretend also to extend the bounds of their dominions, thro the main land as far as the River Kennebeck, tho the utmost they can pretend to is the River St. George, which is many miles short of Kennebeck. That the French lay claim to the sole right to this fishery on the coast, appears by the annex'd affidavits of John Swasey and William Giggles, Masters of two sloops who were seized by a French Captain in 1698, in their return from fishing on the forsaid Banks. We further annex the copy of a letter from Monsr. de Villebon, Governor of Accadie, to Mr. Stoughton, Lieut. Governor of the Massachusets Bay, dated Sept. 5, 1698, wherein he declares that he had possitive orders to seize on all English vessels fishing there, and to maintain the bounds of the French territories and sole right of fishing, as aforementioned. Upon which we take leave to observe that the consequence of those incroachments of theirs by land, besides many other inconveniences, would not only deprive your Majesty's subjects of four or five of the best fishing harbours on that coast, but it would also open to the French a way of being supply'd from the woods with a perpetual store of excellent timber and masts, and in a great measure defeat our design of being supply'd therewith, and with other naval stores from those parts. In case the French are to continue in Accadie or Nova Scotia, it will be necessary that by treaty the limits of Nova Scotia be fixed and restrained to the River St. Croix, and that the claim which the French pretend to derive from Sir Thomas Temple's forementioned surrender, which at most can extend no further than the river St. George, be not allowed of; much less that any concession be made for extending their boundaries Westward to the River Kennebeck, where their Jesuits have built a Church, for it's of great consequence to this Kingdom and the Plantations, that the French be confined to the East side of the River St. Croix; for if they be admitted to extend their Dominions to the River St. George, then at once near 200 mile of coast will be lost; and if they are to extend as far as Kennebeck, then much more of the coast and fishery will be lost to the Crown. The country beyond St. Croix is desart, being sandy, and having few timber trees, or trees for masts growing on it; whereas between the River St. Croix and St. George, the soil is rich and abounds with trees for masts and timber. That the French have a design to make use of those trees will appear from an intercepted letter from Monsieur Denys to the French King, which we received from the Earl of Bellomont in 1700. In case the French are to remain in Canada, the next boundary to be considered is that of the North and West parts of your Majesty's Plantations from New England to Carolina. Tho the English Patents generally have allowed no bounds by land, but extended the grant of those lands from sea to sea, yet the French, since their possession of Canada, having at several

1709.

times gone up the River St. Lawrence, and from thence into the Lakes South Westward of the said river, lying all along upon the North and West of H.M. foresaid Plantations, as far as the River Missisipi, in the Gulph of Mexico, where they have lately made a Settlement, as appears by a letter from the Lords Proprietors of Carolina. And tho these voyages of theirs be no more than what has frequently, and as early, been done by Englishmen, yet they have thereupon from time to time extended their pretentions to the propriety of all the countries bordering upon the said rivers and lakes, which, if it should be allowed them, and that an intire freedom be not maintain'd for H.M. subjects to trade at least with the Indians of those parts, and for them and the said Indians to pass and repass without protestation, it will exclude your Majestys subjects from the inland trade, and confine them to a narrow tract of ground upon the coast.

In relation to *New York and its dependences,* your Majesty's title to that Province is not disputed. But as the French have without any just right pretended to the soveraignty over the Five Nations of Indians bordering upon New York, we humbly beg leave to annex a deduction of your Majesty's right and title to the soveraignty over the said Indians, as the same was prepared by the then Commissioners for Trade and Plantations in July 1697, for his late Majesty's plenipotentiaries then at the Hague, and have added thereunto an account of the proceedings between the late Earl of Bellomont and the French Governor of Canada upon that subject. We have likewise added the copy of a Memorial from Col. Bayard and an affidavit of William Teller, transmitted by the said Earl, proving the constant subjection and dependance of the said Five Nations upon the Government of New York, ever since the first settlement of that country by the Dutch, in or about 1609 or 1610, by which Memorials and affidavit, all the pretentions of the French to any right over the said Indians seem to us to be fully answered and made void. This matter we thought of such consequence as to deserve to be laid before your Majesty for your royal consideration, it being our humble opinion that it is absolutely necessary for the security of the Province of New York and the rest of your Majesty's Dominions in that part of America, that the Five Nations of Indians be preserved and maintained in their subjection to the Crown of Great Britain as formerly. We shall only add that since the Lord Cornbury's Government of New York (as we have been informed), an Agreement was concluded by his Lordship with the Governor of Canada for a Neutrality between the said forementioned Five Nations and the

French and their Indians of Canada, which has been of great prejudice to your Majesty's Governments in New England, as will more fully appear by the foresaid paper. In relation to *St. Christopher's*, that Island was first discovered by Christopher Columbus, and afterwards possessed by Sir Thomas Warner for the Crown of England, in 1623, and the said Warner was made Governor thereof. But how or by what means the French came to have a share of that Island before the Treaty concluded at Breda, we do not find any footsteps in our books. We only find that the said Island was divided into four quarters between the English and ye French, each Nation having two different quarters, besides a Peninsula running Southerly towards Nevis, with some salt ponds upon it, which were claimed by the French, but the salt was commonly gathered or shared by both Nations, who kept a friendly correspondence until 1666, when the French by surprize took the two English quarters of that Island, which by the Treaty of Breda, they were obliged to restore with all speed, or at the furthest within six months, together with all the negroes, slaves and other moveable goods. But contrary to such obligation, they detained the English part of the Island until about 1671, notwithstanding the several demands that were made in due manner in pursuance of the said Treaty, as well as the immediate surrender to the French of Nova Scotia or Accadie. By which detention of St. Christopher's and inexecution of the said Treaty, and their not restoring all the moveables and other things which they were obliged to do, the English were very greatly endamaged; and in such state that Island remained untill the first year of the late war in 1689, when, contrary to Article 18 of Neutrality, made between the two Crowns in 1686, whereby it is expressly stipulated, that upon any breach between the said two Crowns in Europe, no act of hostility should be committed in any of the American Colonies, the French fell on the English again, and taking the chief fort, drove them off the Island, and destroy'd most of their Plantations, kept the whole Island till the year 1690, when by the assistance of forces from Europe it was retaken, by Col. Codrington, then Governor in Chief of the Leeward Islands, and all the French sent away by capitulation to their other Colonies in America; and thus it continued till the Peace at Riswick; by which the French part was restored to them again. Upon the breaking out of this war, the forementioned Treaty of Neutrality, not then in force, as is more particularly set forth in a paper hereunto annex'd, Col. Codrington, then Captain General of the Leeward Islands, did in June or July, 1702, retake the whole Island again, which has ever since remained in your Majesty's possession, and the French part has been setled by your Majesty's subjects. But in regard of the uncertainty of the possession, the grants made in the French part were limited to 2 or 2½ years at most; by which means that said part has not been so well improved as otherwise it might have been, the inhabitants being unwilling to venture any considerable stock upon such lands and plantations as they have no assurance shall be long enjoy'd. But if it be once known that the said Island shall remain wholy to H.M., it will soon be well setled and inhabited by people that will resort thither from all parts to live upon an Island so famous for the healthiness of the clime, firtility of ye soil, and for its plentifull production of many profitable commodities, especially sugar, indico, ginger, etc., having a reasonable good fort, good roads for shipping, and well water'd, with other advantages to make it the best and most considerable of all the Leeward Charibbee Islands. But, in case the French should be restored to their part of the said Island of St. Christophers, those that are now settled upon some of those plantations, will be turned out again to the discouragement, not only of them, but more especially of the former or old inhabitants as well as of those of the other of the Leeward Islands, who have freely ventured their lives in the taking of the said Island, besides when the former inhabitants find that the French are to be restored, they will not only be discouraged but perhaps driven by their just apprehensions of future danger to quit the Island, where they have been allready twice ruined, not willing to run the like hazard upon the breaking out of a new war, by which means the Crown will lose a considerable revenue, and the Nation a beneficial trade. Besides that if the French be restored to their part of that Island, they will allwayes not only be the occasion of a continual uneasiness to your Majesty's subjects there, but may also prove dangerous to the other Leeward Islands, and the trade thereof, especially to Nevis, which lyes but 3 miles distant from St. Christophers. In relation to *Jamaica*, that Island having ever since the Treaty of Breda been entirely in the possession of the Crown of England, and remaining so still, we shall only take notice that toward the West end of the Island of Hispaniola, lies a small Island, called by the French *Isle des Vaches*, and by us *Isle of Ash*, where the inhabitants of Jamaica formerly fished for turtle, and sometimes went to hunt upon it. But in 1687, Monsieur de Cussy, the French Governor of Hispaniola, writ to the then Governor of Jamaica, that the French King had given orders for settling the said Isle of Ash, and he therefore required the English to forbear any

1709.

more fishing upon that coast, or hunting upon that Island, threatning to make prize of those that should be taken there. And the said Isle of Ash has accordingly, since that time, been setled by the French. Having received a Memorial relating to the inconveniencies arrising to your Majesty's Plantations, from the settlements of the French in the West Indies, especially to Jamaica from the French on Hispaniola, tho this matter do not directly come within your Majesty's order to us, yet it seems of such importance that we think it our duty to lay it before your Majesty. In relation to *Newfoundland,* this country was first discovered by Sir Sebastian Cabbot in 1497, at the charge and for the use of King Henry VII. King Henry VIII continued the English interest there, and sent one Bute to make a settlement in Newfoundland. Queen Elizabeth sent Sir Humphrey Gilbert to plant a Colony there, who possessed the Harbour of St. John. In 1608, John Guy, a merchant of Bristol, made a good settlement there also. In 1623, King James I granted to Sir George Calvert that part of Newfoundland begining Southerly from the middle of a neck of land lying between the Harbours of Fermose and Aquaforte, all along the coast Northward to Petty Harbour, under the name of Avason. In 1628, Sir George Calvert transported himself with his family thither. But upon pretence that the said Sir George and his successors had deserted and neglected to settle the said country, it was, together with all the rest of Newfoundland, in the 13th year of the reign of King Charles I, 1638, granted to the Marquis of Hamilton, Sir David Kirke and others, with power to demand and receive, as an acknowledgement of the King's soveraignty over that country, from all strangers that should come to fish or to buy fish there, or within 30 leagues thereof, 10 per cent of such fish, one moiety for the use of the King, and the other for the Proprietors. We find that about 1660 the French did fish at Newfoundland, but we do not find at what time or how they came to make their settlement there. According to the best information we can get, the English fishery and possession of the coast of Newfoundland, about the time of the Treaty of Breda, extended from Salvage and Barrow Harbour (which lye to the Northward of Bonavista) to Trepasty (a harbour which lyes to the Westward of Cape Race) inclusively; only, in the Harbour of Trepastey, the French have also fished, as well as the English. We do not know of any alterations in the possession of that country since that time, until the last war, when the French made several attempts upon some of the English harbours, and particularly in 1694, they attaqued the Port of Ferryland, but were beaten off with loss. In 1696, they took St. John's, Ferryland, and other harbours, and generally made themselves masters of the whole coast, but quitted the same before the arrival of the forces sent by his late Majesty to dispossess them. In 1705, Monsieur Subercasse, the French Governor of Placentia, with about 600 French and Canadian Indians, attacked the Fort of St. John's, but were repulsed by Capt. Moody, then Commander of that Garrison. In December, 1708, the French, with about 160 men, took the Fort of St. John's, the particulars whereof are not come to our hands. What further progress the French may have made there is uncertain. Off of Newfoundland, and within the limits granted to the Marquis of Hamilton etc., over against Cape Race, at a small distance, there lyes the Great Bank about 100 leagues in length and 25 in breadth; on this Bank the French employ some hundreds of ships yearly in fishing, each whereof makes two, and some three voyages a year, which is of great advantage to them in the increase of their seamen, and in the returns for the fish they send to forreign markets; they fish upon this Bank all the year; whereas on the coast, we can only fish from May 20 to August 20. And therefore we humbly offer it to your Majesty's royal consideration, whether the French shall continue to fish upon the said Bank or no. In relation to *Tobago*, in 1626, Sir Thomas Warner took actual possession of all the Charribbee Islands (whereof Tobago is one), for the use of the Crown of England, and in the name of King Charles I, who, by letters patents, dated June 2, 1627, and confirmed the year following, granted the said Islands to James Lord Haye, Earle of Carlisle, his heirs and assignes, who held the same in propriety, under the protection of England, till the patentees made a surrender of their interest to the Crown. Sometime after the Island of *Barbados* had been settled under the grant of the Earl of Carlisle, a considerable number of English were sent from thence to Tobago, who not only retook possession thereof under the command or government of one Ayris, but stay'd there till, by reason of the unhealthiness of the country, they thought fit to draw off and return to Barbadoes, where the said Ayris was living about 1699, if not at this time, and well known by the name of the Governor of Tobago. Sometime before the restoration of King Charles, the Duke of Courland, intending to settle a Colony in the West Indies, took advantage of the disorders in England by reason of the Civil Wars and possessed himself of the Island of Tobago, giving permission to one Lampson, a rich Zealander, to associate himself with the undertakers in that design, he paying a yearly acknowledgement to the Duke for the same. In 1658,

1709.

the said Duke being imprisoned by the Swedes, Lampson's party made use of that conjuncture to raise a mutiny in the Garrison of Tobago against the Governor, whom they forced to capitulate with them and their adherents; and, by this violent act, the Lampsons became masters of the Fort and Island of Tobago, which usurpation they continued for some years. Upon the Duke of Courland's being set at liberty, he made application to King Charles II for his protection and leave to reposess himself of Tobago, and accordingly obtained a grant thereof, Nov. 17, 1664, upon certain conditions which show an acknowledgment of his tenure from the Crown of England. Notwithstanding which grant, the Dutch kept their footing in that Island till 1665, when they were driven out by the English, and upon their retaking possession without leave from England, they were again expelled in 1672, by Sir Tobias Bridge and Sir William Pool, who destroyed the Fort and buildings without making any new settlement, it being judged sufficient that the Government of the neighbouring Island of Barbadoes should retain the Island of Tobago under their jurisdiction, and make use of it on all necessary occasions as depending on that Government, thereby preserving the title of the Crown of England, and hindering any other nation from beginning a settlement there. Nevertheless, after the peace was concluded, the Dutch West India Company took upon them to resettle Tobago, and were possessed of that Island until the war they had with the French in 1676, when Count d'Estree's with a squadron of ships attacked the Island, and blowing up the Fort, carryed off all the Dutch inhabitants, except a serjant, John Hessen of Amsterdam, and two other Hollanders, who continued there some days after the French had entirely abandoned the Island, as appears by the depositions of the said John Hessen produced by the Sieur Van Benningen, then Ambassadour from the States in England, who, redemanding some negroes that were come into the hands of a Governor of one of your Majesty's Charribbee Islands, did alledge that the Admiralty of Amsterdam remained masters of the Island, notwithstanding the depredation of the French, who had made but a transient invasion, without stay or settlement there, as is more at large expressed in his Memorial. In this desolate state the Island remained till towards 1680, when the Duke of Courland had once more thoughts of resettling it under the grant from the Crown of England as aforesaid, and with the assistance of Dutch merchants fitted out some ships in Holland to that end, but with little or no success, which obliged the Duke to have again recourse to the Crown of England, and to make his request by his Agent Baron

1709.

Blomberg to the late King James II, in 1686, that H.M. would be pleased to encourage the settlement of the said Island, and allow some of his English subjects to joyn in the design, with others that should be employed by the Duke; but, upon an hearing in Council, it was then declared by H.M. Attorney General that the said Duke not having duly fulfilled the conditions of his contract or grant from King Charles II, had forfeited the advantages of his said grant, and consequently any right the Duke could pretend to by virtue thereof was become void in law, and returned to the Crown. Notwithstanding which declaration, a fresh encouragement has been given by the Agents of the Duke of Courland to several persons here in England to resettle the said Island; but upon our humble representation to his late Majesty of May 18, 1699, shewing the inconveniencies of such a settlement, H.M. was pleased, by an Order of Council of the same date, not to allow thereof, but to forbid all persons to proceed on that design, either from England or any other place. From which deduction of matter of fact, we humbly beg leave to infer, that the possession taken of Tobago by Sir Thomas Warner in 1626, gave King Charles I a just right to the said Island, which has ever since continued in the Crown of England, and is now undoubtly inherent in your Majesty, notwithstanding the pretentions that may be formed to the contrary by any other Prince or State whatsoever, for the reasons following; that the Duke of Courland had never any direct dominion over the said Island, but possessed it only by a grant and tenure from King Charles II, which he forfeited, as aforesaid; that the incroachment made by the Lampsons on the Duke of Courland was a meer usurpation, which could in no wise prejudice the original claim of the English, which, however, was twice asserted by two entire conquests made by them on the Dutch in 1665 and 1673, since which time the Dutch have not acquired any new title, either by cession or otherwise, from the Crown of England. So that the French cannot be said to be well founded in their claim to this Island, either by what they call a conquest in 1676, which has been proved to be no more than a transitory invasion without any settlement, barely affecting the Dutch Colony and garrison, or by treaty with the Dutch in 1678, who, having no just right of their own, could neither lose nor transfer any right to the French towards the invalidating the superior and original title of the Crown of England. And whereas it is alledged by the French that for maintaining their property in that Island, they send ships twice a year to Tobago, to hinder any other nation from taking possession thereof, we do further humbly offer, that the coming of French ships to Tobago cannot be understood to be otherwise than by allowance for the maintaining a friendly correspondence and a reciprocal kindness between the two Crowns, and that the continuance of possession by your Majesty is much more easily proved by the constant frequenting of that Island by your Majesty's men of war and other ships of your subjects, which resort thither daily from Barbados, and stay there 2 or 3 months at a time or more, to furnish themselves with wood, water and other necessaries in the said Island, which depends absolutely on your Majestys Government of Barbadoes, as other Islands lying to windward of Guardaloupe. In relation to *Dominico*, your Majesty's right and title to that Island will clearly appear from the considerations following, viz., that from the first discovery thereof by the English, that Island was expressly and by name contained in the original grant made of the Charribbee Islands to the Earl of Carlisle in 1627 and has constantly and without interuption been inserted in all Patents and Commissions given to the several proprietors or Captains General successively from that time to this, and has ever been reputed as a dependance of your Majestys Government of Barbadoes; that upon information of the French having made some encroachments on those neighbour Islands, William Lord Willoughby (appointed Governor of the Charribbee Islands in 1666) had a particular Instruction to allow no stranger, subject to any other Prince or State, to inhabit or possess any place contained in his Commission (wherein Dominico and Sta. Lucia were expressly named) but such as should acknowledge H.M. sovereignty there; and was likewise order'd to streighten, distress and dispossess any of the French King's subjects who should have taken possession of any Island named in his Commission, H.M. being resolved to assert his right to those Islands, and to vindicate his subjects from the insolence and injuries of their neighbours; that in pursuance of this Instruction Lord Willoughby went to Dominico with an armed force to punish the Indian inhabitants for some injuries done the English, and soon brought them to a composition, whereby the Chiefs of these Charribbees did, by a general consent in March 1668, surrender and convey the said Island to the King of England, putting themselves as subjects under H.M. protection and Government. This they did by an instrument in writing sealed and delivered in the most solemn and authentick manner that these people are capable off; the truth whereof was attested by Edward Littleton Esq., who was then Secretary to his Lordship, and had the said instrument in his custody; that in consequence of this pacification, the Lord Willoughby gave a commission to Col. Thomas Warner (whose father was Governor of St. Christophers and his mother an Indian woman), to be Deputy Governor of Dominico, who for several years maintained the Indians, (then the only inhabitants of that Island) in their quiet and peaceable subjection; that the first dispute to the contrary was in May 1672, when Col. Codrington, then Deputy Governor of the Charribbee Islands under the said Lord Willoughby, having sent some men from Barbadoes for the better peopling of Dominico, Monsr. de Baas, (Governor of Martinico), did not only dispossess them, but burnt their houses, and warned the said Colonel from sending men thither to plant any more, lest by such an action he might be guilty of a breach of peace then settled between the two Crowns; by one of the articles or conditions of which peace, he pretended Dominico was to remain a neuter Island, free to the Indians, and possessed by neither nation, whether English or French. To which suggestion answer was made by the then Council of Trade and Plantations in their letter to my Lord Willoughby of Dec. 11, 1672, that no such Articles of Peace have been treated on here or elsewhere in H.M. name by his order or direction *etc.* (*See* C.S.P. 1672. 992. i.) That upon the death of the Lord Willoughby (in April, 1673), the Government of the Windward Islands devolving (as appointed by his Commission) on the President and Council of Barbadoes, they, in order to secure H.M. title to Dominico, sent new powers to Col. Thomas Warner, of the same tenure, with that Commission formerly given him by the Lord Willougby, whereby he continued Governor over that H.M. Island till Dec. 27, 1674, when he was killed by Col. Philip Warner, and others from Antego, who were tryed in 1676, for the crime against the King in the loss of a subject. That from that time the English have not thought fit to plant the said Island, but have left it unsettled for the use and supply of Barbadoes, on which Government it has always been reputed to depend. That, as an instance thereof, Col. Stede (Lieut. Governor of Barbadoes and the rest of the Windward Islands), after having published on Barbadoes the Treaty of Peace and Neutrality in America, sent Capt. Beach with one of H.M. frigates to make a like publication of the said Treaty on Dominico, (as a part of his Government), which was done accordingly in March $168\frac{6}{7}$. and the Arms of England were solemnly affixed in the most eminent places of the said Island, as an ensign of H.M. Soveraignty over it. That, notwithstanding all this care to preserve H.M. right to Dominico, some French soon after got thither again, which obliged Col. Stede by H.M. frigat once more to disturb their settlements in May, 1687, by burning their hutts, their fishing tackle and canoes, and causing a French ship to be seized with the men belonging to it for having cut wood there without leave. That, to prevent further disputes with the French upon this and the like occasions, Commissioners were appointed in 1688, to treat with Mounsr. Barillon, then French Ambassador here, for determining the respective Colonies, Islands, etc., belonging to each nation; and Instructions were dispatched to Col. Stede, to send an exact account of the boundaries and limits of his Government of Barbadoes, and of the Islands and Territories depending thereon. In pursuance whereof he gave a Commission to several of the Council of Barbadoes, to make enquiry into H.M. title to St. Lucia, St. Vincent and Dominico, who from the depositions of the most aged and best knowing persons then living in those parts, formed a Report (Sept. 23, 1688), whereby it appears (to use his own words) "that H.M. had an undoubted and sole right to these three Islands, and that the French have not truly any shaddow or colour of pretence thereto;" but this Report not arriving in England till after the late war with France broke out, the Commissioners appointed on both sides for settling the respective limits in America (as abovementioned) separated without coming to any agreement. And whereas the French have acquired no new title to any of these Islands in dispute, either by right of conquest during the course of the late war, or by any condition expressed in the late Treaty of Peace, we are humbly of opinion that your Majesty has an intire right of soveraignty over the Island of Dominico. In relation *to Sta. Lucia*, a general discovery was made of all the Charribbee Islands by Thomas Warner in 1626, who took possession of St. Lucia in particular, and left there one Major Judge as Governor. King Charles I, made a grant of all the said Islands to the Earl of Carlisle in 1627; who setled St. Lucia, in 1635 and 1637, by English Colonies from Bermuda; in 1638 by a Colony from St. Christophers; and in 1640, 1644 and 1645, by Colonies from Barbadoes. In 1663, the English from Barbadoes, contracted with the Indians for the full and absolute purchase of St. Lucia, on valuable considerations; as appears by a deed of conveyance signed by Anna-Watta, the Babba (or Chief Governor) Thomas Warner, an Indian and two others of that nation, by the consent and in the behalf of all their people. By vertue of this deed, Francis, Lord Willoughby, Captain General over all the Charribbee Islands, sent a regiment of foot from Barbados to St. Lucia in 1664, under the command of Col. Carew, to whom the four Indian Princes or Captains abovementioned gave and deliver'd by a solemn manner of turf and twigg, in behalf of themselves and the rest of the Indian Proprietors, all their right, title and interest to the said Island; and accordingly Col. Carew remained there as Deputy Governor. From that time, St. Lucia has been reputed a dependance on the Government of Barbados, and as such, has been constantly inserted in all Commissions and Instructions given to the respective Governors, particularly the Lord William Willoughby was, in 1666, directed to streighten distress and dispossess any of the French King's subjects, or others, who might offer to possess themselves of the said Island. The first pretention formed by the French to St. Lucia, was in 1685, when, under colour of hunting, fishing and cutting wood for the use of Martinico, they built houses and made some small settlements there; upon notice whereof, Instructions were sent by King James to Col. Stede, then Lieut. Governor of Barbados, to cause all forreigners, unless they submitted themselves and acknowledged the King of England's sovereignty over that Island, to remove from thence, and on this and all occasions to renew H.M. claim and possession. In pursuance of these orders, Col. Stede, in July, 1686, sent Capt. Temple, Commander of one of H.M. frigats, to Sta. Lucia, where he immediately summoned such of the French as cou'd be found upon the Island, and, in their presence, published H.M. title to the said Island, by a solemn Proclamation, and erected in the chief Ports, the Arms of England as an Ensign of H.M. soveraignty over that Island; caused all the French inhabitants to be transported to Martinico, and writ a letter to the French Governor there, Count de Blennac, giving him notice of what he had done, requiring him withal not to suffer any within his Government to cutt wood, plant, fish or hunt in or about Sta. Lucia, without leave first obtained from H.M. Governor of Barbados. Count Blennac complained of these proceedings, but the effect of these memoirs presented by the French Ambassador here upon that subject was, that King James thought fit again to assert his title, and Capt. Temple was commissionated a second time to drive off from Sta. Lucia such foreigners as he should find there, to demolish their houses and to destroy their settlements, which he accordingly executed, and was actually in possession of the said Island in the beginning of Nov., 1686, and at the very time when there was concluded at Whitehall the Treaty of Peace and Neutrality, by Article 4 whereof it was agreed that both Kings should have and retain all they then possess'd in America. Capt. Temple staid on Sta. Lucia with a fleet of merchantmen (who were cutting wood) till the middle of January following, and no

French vessels were suffer'd to arrive there. In March 168$\frac{6}{7}$, Col. Stede published the said Articles of Neutrality in Sta. Lucia as a Dependance on his Government, and caused his said Majesty's Arms to be affix'd in the most eminent places there, as a fresh assertion of his sovereignty over the said Island. In March 168$\frac{7}{8}$, some French being crept once more into the Island, Capt. Wren disturbed their settlements, and again asserted the ancient right of the Crown of England. In June 1699, Col. Grey, Governor of Barbadoes, had notice that some French were observed to inhabit the said Island, and had employed negroes in order to a settlement. Whereupon King William was pleased to renew the Order formerly sent to Col. Stede, directing Col. Grey to pursue the same, by giving notice to the French or any other foreigners who are settled, or may hereafter pretend to settle there, that unless they remove from off that Island, and discontinue their settlement, he should dispossess them by force and send 'em off the said Island. From all which it is evident that your Majesty has an entire right of sovereignty over the Island of Sta. Lucia, by all the grounds and titles whereby property can either be acquired or reserved, viz. by first discovery in 1626; by so frequent settlements as amount to a constant possession; by purchase from the natives; by having preserv'd the English title to this Island expressly and by name, without interruption, in all Patents and Commissions; by having at several times vindicated and asserted that title by force of arms, driving away all forreigners as often as they pretended to make settlements there, without leave; by solemn Proclamations and Ensigns of sovereignty, and by actual possession confirmed to the English by Article 4 of the Treaty of Peace and Neutrality, in America, in 1686. *Annexed,*

554. i. A Deduction of the title of the Crown of Great Britain and the Hudson's Bay Company to that territory.

554. ii. Memorial of the Hudson's Bay Company. *See* May 23, 1709.

554. iii. Capt. John Alden's Memorial *re* Nova Scotia. *See* C.S.P. 1700, *No.* 402. iii.

554. iv. Memorial of the Council and Assembly of the Massachusetts Bay to the Queen. Oct. 20, 1708. *See* May 24, 1709.

554. v. Testimony of John Swasey and William Gigles. *See* C.S.P. 1698, *No.* 922. iv.

554. vi. M. de Villebon to Mr. Stoughton. Sept. 5, 1698. *See* C.S.P. 1698. *No.* 922. i.

554. vii. M. Denys to the King of France. *See* C.S.P. 1700. *No.* 402. iv.

554 viii. Lords Proprietors of Carolina to the Council of Trade and Plantations, May 26, 1709. *q.v.*

1709.

554. ix. Memorial by the Council of Trade and Plantations, 1697, relating to the right of the Crown of Great Britain to the soveraignty over the Five Nations of Indians.

554. x. Memorial from Col. Nicholas Bayard relating to same. July, 1698. *See* C.S.P. 1698. *No.* 644.

554. xi. Deposition of William Teller relating to same. *See* C.S.P., 1698. *No.* 643.

554. xii. Abstract of proceedings between the English and French from the Treaty of Breda to 1677, relating to St. Kitts.

554. xiii. Observations by the Council of Trade on the Treaty of 1686. *See* C.S.P. 1699. *p.* 67.

554. xiv. Memorial by Richard Harris. *See* May 25, *supra.* [*C.O.* 324, 9. *pp.* 294-399.]

June 2. **555**. Extract of above Representation relating to Tobago (1715). [*C.O.* 285, 2. *No.* 2.]

June 2. **556**. Extract of above Representation relating to Sta. Lucia. [*C.O* 253, 1. *No.* 1.]

June 2. St. James's. **557**. Order of Queen in Council. Referring following to the Council of Trade and Plantations for their report. *Signed,* John Povey. *Endorsed,* Recd. 11th, Read 13th June, 1709. 1 *p.* *Enclosed,*

557. i. Peregrine, Marquis of Carmarthen, to the Queen in Council. Urges suppression of pirates at Madagascar, and gives warning of an intended expedition thither under one Captain Breholt. *See* A.P.C.II. *No.* 1090. *Copy.* $2\frac{3}{4}$ *pp.* [*C.O.* 323, 6. *Nos.* 77, 77. i.; *and* 324, 9. *pp.* 400-405.]

June 2. St. James's. **558**. Order of Queen in Council. Referring following to the Council of Trade and Plantations to examine and report upon. *Signed,* John Povey. *Endorsed,* Recd. Read Feb. 21, $170\frac{9}{10}$. 1 *p.* *Enclosed,*

558. i. James Campbell to the Queen. Prays to be recompensed for his losses (£9000) in Newfoundland *etc.* at the hands of the French, and for his services in the defence of St. Johns, 1705, and in giving intelligence of the state of affairs in Newfoundland, *etc.* *Copy.* $2\frac{3}{4}$ *pp.* [*C.O.* 194, 4. *Nos.* 126, 126.i.; *and* 195, 5. *pp.* 93-96; *and* 129-132.]

June 3. Whitehall. **559**. Council of Trade and Plantations to the Queen. Mr. Gordon [*see* March 24 *supra*], has produced to us two certificates signifying that it do's not appear that the Act of Barbados *referred to* has been either confirmed or repealed by the Crown. [*C.O.* 29, 11. *pp.* 458, 459.]

1709.
June 3.
Whitehall.

560. Council of Trade and Plantations to the Lord High Treasurer. There was due to the Commission for Trade and Plantations one whole year's salary at Lady Day last past, besides what is incurr'd since. We pray your favourable order therein. [*C.O.* 389, 36. *p.* 422.]

June 4.
St. James's.

561. Copy of H.M. Warrant for payment of £24 a day for the support of the poor German Protestant Refugees, over and above the £16 already granted. *Countersigned,* Godolphin. *Endorsed,* Recd. Read June 23, 1709. 1¾ *pp.* [*C.O.* 388, 76. *No.* 77.]

June 8.
Whitehall.

562. Robert Pringle to Mr. Popple. Encloses following, and requests that a Commission and Instructions be transmitted to the Earl of Sunderland to be laid before H.M. *Signed,* Ro. Pringle. *Endorsed,* Recd. Read June 9, 1709. 1 *p. Enclosed,*

562. i. Mr. Burchett to the Earl of Sunderland. Prays for a Commission for the Commodore of the convoy to Newfoundland, Capt. Joseph Taylor, H.M.S. *Litchfeild,* to command at land (*v.* Jan. 27, 1709). The last men of war bound convoy thither are now under sailing orders, *etc. Copy.* ¾ *p.* [*C.O.* 194, 4. *Nos.* 94, 94. i.; *and* 195, 5. *pp.* 96, 97.]

June 9.
Whitehall.

563. Council of Trade and Plantations to Governor Park[*e*]. Since ours of Feb. 24, we have recd. none from you. *Refer to passage in his letter of Nov.* 14, 1708, *relating to leakage of intelligence,* which being an imputation upon somebody, and a matter fit to be inquired into, we therefore desire that you will inform yourself as particularly as you can what the intelligence was, who the persons were that received it, and also if possible from whom they had it, and to give us an account thereof as soon as possible, that we may thereupon do what shall then appear proper on that occasion. Having been again attended by Mr. Arthur Freeman in relation to the Act of Antigua (*cf.* May 9, 1707) and having received no answer from you in that matter, we again transmit copies of the Act and Attorney General's report, and desire that you will examine the several matters therein mentioned, and return to us as soon as may be a particular accot. thereof, as is proposed by the said Report. [*C.O.* 153, 10. *pp.* 358, 359.]

June 9.
Treasury
Chambers.

564. Mr. Bendyshe to Mr. Popple. *Encloses following.* I shall be very glad if the poor man may obtain the favour desired. *Signed,* Tho. Bendyshe. *Endorsed,* Recd. June 10, Read July 5, 1709. ½ *p. Enclosed,*

564. i. Richard Jurdine, a linen-draper in Cambridge, having inherited an estate in Antigua, prays for a recommendatory letter to the Governor and Council to see that justice be done him with despatch, *etc.* [*C.O.* 152, 8. *Nos.* 21, 21.i.; *and* 153, 10. *pp.* 360, 361.]

1709.
June 9.
[9. 4 m.
(Jun.)]

565. Mr. Penn to Mr. Popple. Hond. Frd. I beg leave to have the boundarys of Ld. Baltimore's Patent in order to my defence, and ye date of it, wth. any other things or papers yt. are reasonably to be graunted refering therunto, wch. will much oblige, Thy assured and affect. ffrd. Wm. Penn. *Endorsed*, Recd. Read June 9, 1709. *Addressed. Holograph.* 1 *p.* [*C.O.* 5, 716. *No.* 64; *and* 5, 727. *pp.* 120, 121.]

June 9.
Whitehall.

566. Council of Trade and Plantations to the Earl of Sunderland. Enclose following to be laid before H.M. *Enclosed*,

566. i. Draught of Commission for Capt. Taylour to command at land in Newfoundland during his stay there, and of Instructions for the better putting in execution the Act for *redressing abuses practised by masters of ships etc. in those parts.*

Similar to those given to former Commodores. [*C.O.* 195, 5. *pp.* 98-105.]

June 9.
Whitehall.

567. Mr. Popple to Josiah Burchett. The Council of Trade and Plantations not knowing in what condition our settlements at Newfoundland may be in by reason of the late attempts by the French, they do not see what proper queries can be framed to be given to the Commodore for this year; however they think it will be of service that the usual Heads of Enquiry and Additional Instructions, tho' it is not expected the Commodore shou'd answer them all, be given to him entire, for such answers as he shall be able to make; and therefore their Lordships have commanded me to send you the said enquiries here inclosed, which you will please to lay before my Lord High Admiral for his Lordship's directions therein. *Enclosed*,

567. i. Heads of Enquiry and Additional Instructions for the Commodore of the Newfoundland Convoy. *Same as last year.* [*C.O.* 195, 5. *pp.* 105-109.]

June 9.
St. James's.

568. Order of Queen in Council. Repealing clauses in an Act of Barbados, 1667, concerning *clerks and marshals' fees*, whereby judges are empowered to appoint their own marshals, as encroaching on Mr. Gordon's Office *etc.* The Governor is to endeavour with the Assembly that clauses in an Excise Act of 1708, empowering Commissioners of Assembly to appoint their own Marshals be also repealed, or that he return an account to H.M. of the objections against repealing it. The Governor is to protect Mr. Gordon in his office and not to pass any law prejudicial to the rights and perquisites of the office of Provost Marshal. *Set out*, A.P.C.II. 1093. *q.v.*, and June 3 *supra*. *Signed*, John Povey. *Endorsed*, Recd. 15th, Read 25th Oct., 1709. $2\frac{1}{4}$ *pp.* [*C.O.* 28, 12. *Nos.* 42; *and* (*first part only*) 41; *and* 29, 12. *pp.* 29-33.]

June 9.
Craven
House.

569. Warrant of the Lords Proprietors granting 5000 acres in S. Carolina to Abel Ketelbey, in consideration of £100 purchase money and a quit-rent of 10/*s*. per 1000 acres. *Signed*, Craven, Palatine, Beaufort, M. Ashley, J. Colleton, J. Danson. [*C.O.* 5, 289. *p.* 220.]

June 11. Whitehall. **570**. Mr. Pringle to Mr. Popple. *Encloses following. Signed,* Ro. Pringle. *Endorsed,* Recd. 13th, Read 15th June, 1709. 1 *p. Enclosed,*

570. i. The Earl of Sunderland to the Council of Trade and Plantations. Whitehall. June 11. You are to discourse with my Lord Chamberlain's Agents and report upon *the following proposal* with all the despatch possible. *Signed,* Sunderland. 1 *p.*

570. ii. Proposal by the Marquis of Kent, Lord Chamberlain, to allot lands in Herefordshire and Gloucestershire to the German Protestant Refugees. 1¼ *pp.* [*C.O.* 388, 76. *Nos.* 66, 66. i., ii.; *and* 389, 36. *pp.* 423-426.]

June 13. Virginia. **571**. Col. Jenings to the Council of Trade and Plantations. I have but just time to acknowledge the honour of diverse letters from your Lordps. by the convoy wch. arrived within the Capes last night, not one ship of the Fleet missing. I have called a Council for advising of your Lordps.' commands, but beg your Lordps. will excuse me that I cannot have one so suddenly as to be able to return your Lordships a particular answer by the ships now bound out; they chiefly belong to Maryland, and will not stay, tho' I have written to, and daily expect the homeward bound men of war from New York to take them and some others of this Colony under convoy. *Refers to* letter of March 22 relating to fitting out a briganteen. That preparation has been very usefull in frighting the enemy from attempting anything within our Capes; tho' they have done much dammage on both sides of us, by plundering the Horekills, a town on the mouth of Delaware, and the inhabitants of Corrotuck in North Carolina, and they have owned to some of their prisoners that they would have done the like to Virginia, but that they found us on our guard. Since there's a guard ship now arrived, I shall ease H.M. Revenues by discharging the briganteen, and by the next opportunity send your Lordps. an account of the charge thereof. I hope in a few days to have the honour of writing to your Lordps. more fully by the men of war from New York if I can prevail with them to stay any time; but am afraid they will not, having on board my Lady Lovelace and her family, who on the unfortunate death of my Lord (a Gentleman very much lamented) is returning home and will no doubt be impatient to be in England. *Signed,* E. Jenings. *Endorsed,* Recd. Aug. 30, Read Sept. 5, 1709. 2 *pp.* [*C.O.* 5, 1316. *No.* 32; *and* 5, 1362. *pp.* 413, 414.]

June 14. St. James's. **572**. Copy of H.M. Warrant for payment of £40 a day for support of 2000 more German Protestant Refugees, in addition to the £40 already granted (June 4). *Countersigned,* Godolphin. *Endorsed,* Recd. Read June 23, 1709. 2 *pp.* [*C.O.* 388, 76. *No.* 78.]

1709.
June 14.
Jamaica.

573. Governor Handasyd to the Council of Trade and Plantations. *Acknowledges* letters of Feb. 24, March 10, July 13, Aug. 4, 13, 23, Nov. 25 and Dec. 15, H.M. additional Instructions, and two Privy Seals, one for Col. Mumbee, the other for Cap. Peeke to be of the Councill. As to what you mention about the six cruisers, I mean six nimble ships from 40 to 50 guns for convoys to our trade to the Spanish coast, and to prevent the French bringing any merchantable goods to dispose of to the Spaniards, by which means it will enrich the British subjects, and destroy the interest of the French. As to the giving an exact account of prizes, I have always given the best I could learn, being no way interested in them. I have consulted the Planters and Factors about the number of negroes the Island will have occasion for yearly, but cannot find any that can make a true estimate of the matter, it being uncertain what improvements are yearly made of land, or what negroes may die, or run into the woods and mountains from their masters. As to the oath of office, all patentees that come into these parts take the oaths the Law requires. As to the Flaggs of Truce from the Spaniards, it is still my opinion they only come as spys, to know what ships are out a cruizing, and what are in port, tho' all possible care is taken to prevent it, for the Spanish prisoners are constantly sent home by our sloops that go daily to the Spanish coast, and our prisoners brought from them by the same vessells, so that they have no occasion to come upon any other score than as spys. Your Lops. say you do not doubt but I know where to make application for the mony I have disbursed for private intelligence. It has been my misfortune these 38 years never to have much time to make application to Court, and that is the reason I am so much a stranger where to apply myself now in this affair, unless to your Lops. or the Secretary of State, whom I look upon as patrons to all Governors, and therefore must begg your Lops.' favour in assisting my agent there on this behalf. I find that one of the persons I had intelligence from has been clapt up betwixt 5 and six months upon suspicion, and likewise two others have been in prison these 18 months at Petit Guavas upon the same account, tho' I had no correspondence with them. So that that expence will now be at an end, which if the war continues will be very uneasy for the gentleman that relieves. The fourth instant was brought in here by a Jamaica privateer a Spanish brigantine loaden with corn and earthen ware of a small value. I send your Lops. herewith enclosed a list of the escheats found for the Queen this Grand Court, with the value of them, most of which are only land that has lain unmanured for these 30 or 40 years, and pays no quitt rent to H.M., which if she is pleased shall be disposed of, may be of service to severall familys lately come from St. Christophers and the other Windward Islands, where they have been forced by the enemy to leave their places of abode, to settle in Jamaica, and therefore I desire your Lops.' speedy answer herein. Being informed that there was a quantity of ambergreese taken up at

1709.

Withywood of about 20*lb.* weight, 10*lb.* of which being exposed to sale, and it plainly appearing to me that it was taken up within the ebbing and flowing of the water, I caused it to be seized by the navall officer on behalf of the Queen, and ordered the prosecution of the person, who had the other half, as the Law directs; but finding that it would go in the Grand Court against the Queen, as everything does where there is the least shadow to take hold of, I ordered the Attorney Generall and Col. Brodrick to demand a speciall verdict, which was possitively refused, and which in my opinion is contrary to the known Laws of England. I therefore send your Lops. here enclosed the papers relating to it, and desire they may be laid before H.M. Attorney General and what other Gentlemen of the Law your Lops. think fitt, to know if H.M. has had justice done her, and what methods are to be further used about it. The 10*lb.* that was seized by the Navall Officer I have ordered him to return to the person from whom he had it, that I may be at no further expence in the matter, having fee'd the Lawyers out of my own pockett, who would do nothing without ready mony, and there is no allowance for it out of the Treasury. *Signed,* Tho. Handasyd. *Endorsed,* Recd. Aug. 6, Read Nov. 11, 1709. 5 *pp.* *Enclosed,*

573. i. List of escheats found for the Queen at the Grand Court in Jamaica, 1709. 5 lots of land and some negroes. *Same endorsement.* 1 *p.*

573. ii. Deposition of A. Nowlan. He purchased 20*lb.* of ambergrease, thinking it to be pitch for his canoe, from James Litchell who keeps a storehouse belonging to Humphrey Mumby, William Kingston and John Hutchinson. At a horse-race at Salt Savanna his brother in law, James Davis, shewed it to Dr. Trapham who assured him it was very good ambergrease. To avoid a law suit, he shared it with Mumby. His half was seized by William Norris, H.M. Naval Officer. *See supra.* *Signed,* Arthur Nowlan. *Same endorsement.* 1 *p.* [*C.O.* 137, 8. *Nos.* 66, 66.i., ii.; *and* (*without enclosures*) 138, 13. *pp.* 40-46.]

June 15. Whitehall. **574.** Council of Trade and Plantations to the Earl of Sunderland. *Reply* to June 11. We have discoursed with the Lord Chamberlain's Agent, who hopes to make his proposal compleat in a week or ten days time, *etc.* [*C.O.* 389, 36. *p.* 427.]

[June 16.] **575.** List of persons concerned in Capt. Breholt's intended expedition to Madagascar. *See* June 2 *supra.* The Earl of Morton, Hon. Charles Egerton, Sir John Bennett, Sir David Nairne, Sir James Gray, Paul Jodrell, the Earl of Carlisle, *etc. etc.* *Endorsed,* Recd. Read June 16. 1 *p.* [*C.O.* 323, 6. *No.* 78.]

June 16. St. James's. **576.** Order of Queen in Council. Mathew Newnam's fine is remitted *etc.* as proposed in Representation of July 15, 1708.

1709.

v. A.P.C., II. *No.* 1097. *Signed,* John Povey. *Endorsed,* Recd. 5th, Read 10th Nov. 1709. $1\frac{1}{4}$ *pp.* [*C.O.* 37, 9. *No.* 2; *and* 38, 6. *pp.* 473, 474.]

June 16. Barbadoes. **577.** G. Newport to Mr. Popple. I was one of those who signed an Address to Governor Crowe protesting against the Address of the Assembly requesting him not to restore the 3 Councillors as directed by H.M. A few days later I justified my action when challenged by Col. Maycock. Six or seven days later I was summoned to appear before Joseph Brown to give an account of some words spoken by Col. Maycock to me, which reflected upon the honour and justice of H.M. I went and gave my deposition of May 23, 1709, by which you'l perceive that the words that gave offence are Col. Maycock's saying the Queen was surprised or spiritted into the Order for restoring the Councellors. On June 1 H.E. issued an order to a cooper, one Mr. Conningham, and at present a J.P. too, commanding him to summon before him Col. Hallet, Col. Terril, Mr. Roberts, Mr. Townsend, and two Jews, and to take their depositions relating to my aforesaid discourse with Col. Maycock. I was not allowed to cross-examine them, but they could not give any tolerable account of the affair, or tell one single word of what I said in answer to Col. Maycock. All the time Col. Maycock was whispering the Justice and the deponents, and had free liberty to ask what he pleased. This proceeded from the awe that Col. Maycock has over the Justice, who is but a poor cooper, and Col. Maycock is Treasurer, and, (which is the greatest post that ever was in the Island) Commissioner for paying of Bank-notes; he is Chief Judge of the Court of Common Pleas and Col. of the Regiment, and Commander of the Forts and matrosses in the division where he lives and consequently cannot but be Assembly-man for the parish, and bring in such of his creatures as he pleases. *etc.* *Signed,* G. Newport. *Endorsed,* Recd. 5th, Read 15th Aug. 1709. $3\frac{1}{4}$ *pp.* *Enclosed,*

577. i. Deposition of George Newport, as to his interview with Col. Maycock, *as supra.* May 3, 1709. 1 *p.* [*C.O.* 28, 12. *Nos.* 38, 38.i.; *and* (*without enclosure*) 29, 12. *pp.* 6-12.]

June 16. Perth Amboy. **578.** Col. Ingoldesby to the Council of Trade and Plantations. *Refers to* former letters. I have not been favored with one line in answer. I presume [*your*] Lordshipps may already have received notice of the death of my Lord Lovelace, and from his Lady the minutes of all that passed either in Councill or As-s[*embly*], with other publique transactions dureing his Government, since the Secretary hath ass[*ured*] me that as to what relates to his office and duty, he hath delivered two coppys to her Lordsp. [*sic*] [*to*] be transmitted home. Togeather with this your Lordships will receive an accompt of what passed in both Governments of New York and New Jersey, since [*I have*] had the administration thereof, and hope nothing will be found wanting that your L[*ordships*] expect to have returned by me, although I cannot but acquaint your Lordships that [*the*] multiplicity of business ocationed by my Lord Lovelace's coming into the Government, [*so suddain*] death, and the arivall of Col. Nicholson and Col. Vetch with H.M. commands to call the Assembly in each Province, and to give them all possible assistance in that great and glorious designe hath rendred it very dificult to comply with H.M. instructions soe [*punctually*] as I might otherwise have done, and may excuse me to your Lordships in case there shou'd happen to be anything omitted. The present state of the Governmt. your Lordships will be fully acquainted with by the papers you will receive with this letter, and your wisdomes will discerne the unhappy causes of the non-complyance of the Province of New Jersey with H.M. commands in the supplying the expected Quotas of men and money for the reduction of Canada to procede partly from the admision of Quakers into the Assembly and Governmt., and partly from the factious and turbulent spiritt of some other persons in this Government, and is a full confirmation of all that hath formerly been wrot to your Lordships on that head, although your Lordships have all the voates of the Assembly and proceedings in Councill before you, yet I cannot omit mentioning two or three of them [*as*] a sufficient demonstration of the truth of my assertion. May 31. *p.m.*: Motion being made, and the question being putt whither this house would detach men for the present expedition, it passed in the negative. June 3, 1709; Resolved the following words [*in*] the Address to Col. Nicholson, vizt. that his honnor would obleige our Province and nation by takeing on him the supreame command of the forces employed against [*Canada*] by land, this House takes to signifie none but such as volluntarily doe list themselves under his command. June 9: The engrossed bill for the raiseing of £3000 for H.M. service was read the third time, and uppon question put, was rejected. Mr. Gardner, on behalfe of the People called Quakers that were members of this house, desired that the following entry might be made, vizt., the Members of this [*house*] being of the people called Quakers, have always been and still are for raiseing [*money*] for the support of H.M. Governments. But to raise money for the raiseing souldiers [*is*] against their religious principles, and for conscience cannot agree thereto. I cannot [*but*] observe that had the Bill passed as it was rejected, it would not have [*been*] very servisable, since the sum of £3000 was to be paid to such as volluntarily [*enlisted*] themselves to goe on this presant expedition, and not otherwise, so that if there ware not [*two*] hundred vollunteers out of this Province, there was no provision for any men that ware [*detached*] out of the Militia. I doe assure your Lordshipps I have left no stone unturned to man[*ifest*] my zeale and diligence in this matter and heartily sorry that it hath miscarried. I think it my duty further to acquaint your Lordships that there are two of H.M. Council dead that are mentioned in my Lord Lovelace's Instructions, vizt. Mr. Davenport and Capt. Andrew Bowne, and two being at that time removed, vizt., Mr. Revell and Mr.

1709.

Leeds, who both resided in the Western Division, that are two of the Members of the Councill for that Division still wanting. I have therefore according to H.M. Instructions sent a list of the names of such persons as I beleive most proper to fill up the said vacancys, which I think is for H.M. service to be spedily [*done*], that we may have as many of the Councill as is posible to assist on all occations. To acquaint your Lordships that the Assembly has raised nothing for the support of the Government and payment of sallaries of the officers nor contingent charges of expresses; that I have received no more then two years sallary since my arivall here in this Province, and have maintained the honor of my post and service of H.M. at my owne expence without any manner of reward for about 4 years, is but to say what I beleive your Lordships are already acquainted withall, onely I thinke it a justice due to myselfe to assure your Lordships that in all the course of my administration here, I dare challenge every individuall man in both the Provinces to instance in any one thing that they have been wronged, or might have any just complaint against me, and therefore cannot but hope that I may have your Lordships' recommendations of me to H.M., either for the continuance of me[*n*] in the chief command of these Governments, or such other provition as may in some measure reimburse me for my time and expences. I have been many years always in the service of the Crowne, and have had the honor of beareing a Commition under it, and am shure have never violated either my honor or the trust reposed in me, therefore thinke have a just pretention to this post that the death of my Lord Lovelace and H.M. Commission hath placed me in, and hope that I may receive a confirmation thereof from H.M. by her Letters Pattents. At the desire of the Gentlemen of H.M. Councill and for the reasons alledged in the Address that your Lordships will see in the Minutes of the Councill, I have thought it for H.M. service to suspend Lewis Morris Esq. from being one of H.M. Councill or any other office or place of profit or trust in this Province untill H.M. pleasure be farther known and cannot but beleive that H.M. will see it to be for her service to confirme the same. My Lords, although the stubborness of the Assembly in not complying with H.M. commands relateing to the Expedition occationed my adjourning of them by the advice of H.M Councill, yet that nothing may be left untried to forward the same I have called them againe to meet at Burlington the 21st inst., and hope they may be prevailed with to study their own interest and H.M. service. *Signed,* Richd. Ingoldesby. *Endorsed,* Recd. Aug. 20, Read Sept. 5, 1709. 2 *pp.* [*C.O.* 5, 970. *No.* 82; *and* 5, 994. *pp.* 474-480.]

June 17. [17 curtt.] **579.** William Penn to the Council of Trade and Plantations. Honble. Friends, I humbly pray yt. I may have a free access, or my clark and agent for me, to the Records of yr. Office in reference to affaires of America, especially of Virginia, Maryland and Pennsylvania, wth. coppyes of such records as I

1709.

shall need and you will much oblige your very resp[*ectful*] friend, *Signed*, Wm. Penn. *Endorsed*, Recd. Read June 20, 1709. *Addressed. Holograph.* ¾ *p.* [*C.O.* 5, 1264. *No.* 70; *and* 5, 1292. *p.* 137.]

June 17. Philada. **580**. Lt. Governor Gookin to Col. Nicholson and Col. Vetch. In answer to yours of 13th inst., notwithstanding all I could say, assisted by ye Councill and most of ye men of note in ye Town, Quakers and others, ye Assembly sent me their last answer in these words, "Resolved, n.c.d., that they cannot raise money directly or indirectly for ye expedition to Canada," to wch. they added they were preparing a Bill for raising £500 as a present to ye Queen for her favours etc., which should be ready at their next meeting on Aug. 15th, tho' I told them 'twould not be convenient to adjourne but from day to day till some matters of moment I had to communicate to them were answered, nor will they do anything to defend their own coasts or encourage our neighbouring Indians, who have offered their assistance, alledging for all their religeous principalls, so that there is nothing to be expected from hence. When you write to ye Ministry at home, I hope you will do me ye justice to acquaint them how far I have obeyed H.M. commands, as I shall also do myselfe, and transmitt to them ye Minutes of Councill with ye proceedings of ye Assembly, and whatever else may be thought necessary to justify such of this Province as are zealous for H.M. honored service. *Signed*, Charles Gookin. *Holograph.* ¾ *p.* [*C.O.* 5, 1234. *No.* 1.]

[June 17.] **581**. Accounts of receipts and disbursements on behalf of the German Protestant Refugees, May 17—June 17, 1709. *Signed*, J . Tribbeko, A. Ruperti. *Endorsed*, Recd. June 21, 1709. 4 *pp.* [*C.O.* 388, 76. *Nos.* 71-74.]

June 18. St. James's **582**. The Queen to Governor Crowe. Instructions in the case of George Gordon *as* June 9, *supra*. *Signed*, A.R. [*C.O.* 5, 210. *pp.* 152-154.]

June 18. Barbados. **583**. Messrs. Sharpe, Walker and Beresford to the Council of Trade and Plantations. Our complaints against Governor Crowe have given your Lordships' Board much trouble, but we hope the papers which will be now layd before your Lordships will entirely put an end to it. *Repeat part of* May 14. Pursuant to H.M. Order, Jan. 22, we did this day goe Pilgrim, the Governor's residence, with a copy of our Representation and severall affidavits and other proofs to make good our charge conteyned therein. He refused us admittance, and sent us a message by Mr. Barron, Depty. Clerk of the Council that he wou'd receive no papers from us that required debate. We replied that these papers requir'd no debate and would not admit of any, and explained what they were, but were obliged to return without delivering them. Mr. Crowe's insolent disobedience his unaccountable conduct in this as well as on most

1709.

other occasions, has brought on him the contempt of every one of all partyes who has common sense, and the just indignation of those who have any share of honour or probity. *Signed,* Wm. Sharpe, Saml. Beresford, Alexander Walker. *Endorsed,* Recd. 30th July, Read Aug. 2, 1709. 2 *pp.* *Enclosed,*

583. i. List of enclosures. $1\frac{3}{4}$ *pp.*

583. ii. Representation by Messrs. Sharpe, Walker and Alexander to Governor Crowe. Your refusal to obey H M. Order of Jan. 22 (*v. infra, No.* iv.), is a plain proof that your Excellency is conscious of the truth of ye several charges in our Representation. *Enclose* proofs. If any particular charge shall seem imperfectly made out, 'tis not for want of evidence, but because your Excellency has refus'd to order us summons as H.M. directs. Within two days after the receipt of H.M. Order you did (as you formerly had done just before Mr Walker's tryal) by a private supersedeas turn 15 gentlemen out of ye Commission of the Peace, without ye consent or privity of ye Council, which is contrary to an Act passed by yourself, whereby your Excellency, dureing our suspension, has given up that part of H.M. prerogative of makeing or displacing Justices without the consent of Council. Whether these Gentlemen, who are men of known probity and moderation were not displac'd on purpose to prevent our applying to them, we leave all impartial men to judge. If you will please to signify H.M. pleasure to Mr. Beckles, or such other magistrate as we shall name, we can upon every general head of complaint produce many more instances of ye truth of them. However we believe the annexed papers will suffice. *Enclosures analysed and amplified.* We could prove many more matters of a higher nature, if possible, then any contein'd in our Representation, but we shall only mention two: (1) Your exacting from Mr. Cox a second obligation to pay you a considerable summ for the Naval Office, after you had receiv'd a severe repremand from ye Lords of Trade on that occasion. (2) Your permitting the sloop *Neptune,* Hugh Christian, master, to sail before she came to a tryal, whilest she was under a seisure and libell'd on some depositions you had yourself taken to prover her guilty of the breach of ye Acts of Trade etc. The reasons are very publickly talkt of, etc. (3) Your intercepting, breaking open and concealing a letter from the Government of Surinam to Mr. Sharpe and Mr. Cox. To do right to ourselves, we insist upon it, that your Excellency will give us copys of all the depositions you have caused to be taken against us, and of whatever else you have written home against us, *etc.* *Signed,* Wm. Sharpe, Alexander Walker, Saml. Beresford. Barbados, June 16, 1709. *Endorsed,* Recd. July 30, Read Aug. 10, 1709. 7 *pp.*

1709.

583. iii. Same to Same. May 12, 1709. Pray H.E. to instruct Thomas Beckles or another judge to take depositions as ordered Jan. 22, 1709. *Signed as preceding.* 1 *p.*

583. iv. Governor Crowe's Reply to preceding. Barbados, May 16, 1709. By H.M. Order Jan. 22 directions were given to send him a coppy of their late Representation, which has not been done. Complainants inform him they have not received one either, so that he cannot make any answer thereto, or cross-examine any wittnesses. *etc.* *Signed,* M. Crowe. 1 *p.*

583. v. Reply to preceding. May 18, 1709. The Representation referred to is that of which your Excellency on May 12 owned you had the original still by you. We pray for a copy of the answer you say you have already sent home, *etc.* *Signed,* Wm. Sharpe, Alexander Walker, Saml. Beresford. 1¼ *pp.*

583. vi. Copy of Supersedeas signed by Governor Crowe, Pilgrim, Dec. 7, 1708, for removing William Sharpe, Alexander Walker, Samuel Beresford, Raynes Bate, Alexander Anderson, Thomas Sandiford, Richard Sandiford, Mathew Keynell, Charles Egerton, Francis Alexander, Peter Mascoll, John Rushworth, and Joseph Tod from the Commission of the Peace. ¾ *p.*

583. vii. Copy of Supersedeas, signed by Governor Crowe, Pilgrim, May 11, 1709, removing Joseph Salmon, John Sandford, Benjamin Bullard, Thomas Prideaux, George Forster, Daniel Hooper, Joseph Hannis, Robert Vaughan, Zachary Shute, Robert Lottis Hooper, Othniel Haggath, Thomas Stewart, Thomas Roulston, John Dorne, and Richard Wiltshire from the Commission of the Peace. 1 *p.*

583. viii. Certificate that H.E. and Council met 48 times during the suspension of Messrs. Sharpe, Cox, Milles and Walker, Aug. 26, 1707—June 1, 1708. *Signed,* A. Skene, Secry. June 1, 1709. ½ *p.*

583. ix. Certificate that from June 1st, 1708, the day the above were restored, to Sept. 25th, the day Messrs. Sharpe, Walker and Beresford were suspended, H.E. and Council met 3 times. *Signed as preceding.* ½ *p.*

583. x. List of meetings and adjournments of Assembly of Barbados, May—Sept. 1708. *Signed,* William Grace, Cl. of Assembly. 1 *p.*

583. xi. Votes of Assembly, June 5, 1707, of £200 for repair of roof and completing stables *etc.* at Pilgrim's, and £500 currt. money to H.E. for his habitation etc., July 18, 1707, and £500 for furnishing H.E.'s cellars, May, 1708. 8½ *pp.*

583. xii. Minutes of Assembly of Barbados, May 18—Aug. 31, 1708. 7½ *pp.*

583. xiii. Inhabitants of Bridge Towne to Governor Crowe. Petitioners' Representatives having communicated to them the heads of a Bill prepareing by the Assembly

1709.

to impower the Publick Treasurer to issue a verry great summe in noates from 2/6 to £10 for dischargeing the publick debts, petitioners laid before the House the great losses the Island had sustained by the last paper money, together with their apprehensions that any attempt to establish any other paper credit would yet more discourage trade, and prayed that the said Bill containing matters of an extraordinary nature might not pass that House nor any noats issue thereon untill H.M. most gracious pleasure should first be known, and that in the meanetime some effectuall course might be taken for dischargeing the Bank and Country noates allready issued by the former Lawes, the time for paying the same haveing been long since elapsed. Notwithstanding which that House hath past the said Bill, and as if they had conceived a displeasure against petitioners, have layed 4 times a greater tax on them, in this great decay of trade then wass ever knowne even in the times when the number of inhabitants were considerably greater and our commerce at the highest. In 1692, when a verry considerable tax was raised of 4*s*. per head on negros and £12 on each windmill, the proportion of this towne was on the Christian inhabitants £675, and on the Jews £750, and in 1704, when a verry great summe was raised for dischargeing the publick debts 5*s*. per head was laid upon negroes and £5 upon each windmill, the proportion laid on the Christian inhabitants of this towne was £1500 and on the Jews £750, which was soe grievious that the vestry found it almost impossible to raise, and occasioned several of the poore inhabitants to leave the Island, and yet in this intended levey, when 5*s*. per head is laid on negroes and £4 only on each windmill, the whole tax amounting to £23,129. 15*s*. the Christian inhabitants of this towne are taxed £6000, the Jews £1500, besides the lawyers, pattentees and other officers, which amount to above ⅓rd of the whole tax. Yet the proportion would have been considerably lessened if any regard had been had to the present great decay of trade, the number of merchant vessels haveing decreased from 552 in 1701 to 178 the last year. And which is yet a greater hardshipp, the inhabitants of this towne are the greatest creditors of the publick, to whome chiefly the debts intended to be discharged by this Bill are due, soe that should the same pass into a Law, petitioners will be oblidged themselves to pay above ⅓rd of the debts due to themselves, and to goe without the remainder or receive the same in the designed noates, which they have noe hopes to pass away under 50 p.c. loss, that discount haveing been on the former, soe that those who have credited the publick will be forct after soe long a stay to compound for halfe their just debts. *Pray* that their proportion be justly laid, that no notes be issued until H.M. pleasure be known, and that the Assembly be recommended to relieve those who have the State Bank and Country noates lyeing by them useless and unpaid. 102 signatures. 1 *large p.*

583. xiv. Copy of proceedings in a Court of Chancery, held by Governor Crowe, Feb. 20, 1707. Mitford Crowe *v.* Butler Chamberlin (*see No.* xv.) H.E. acquainted the Board that he was a party in this cause and desired them to consider it. The Board decided that the injunction formerly granted in this cause should remain perpetual. Whereupon H.E., at their unanimous request, ordered accordingly. Leave to appeal granted, if appealable. 1¼ *pp.*

583. xv. Manasses Gilligan and Butler, his wife, formerly Butler Chamberlaine, administratrix of Sir John Witham, Bart., to Governor Crowe. Liberty to appeal having been granted, provided petitioners applyed for a warrant of appraisment to appraise the negroes, in question, and they be found to amount to the vallue of £500, they now apply for such warrant. Granted by H.E. March 20, 170⅞. 1¼ *pp.*

583. xvi. Governor Crowe's warrant appointing Commissioners of appraisement as desired in preceding. *Signed,* M. Crowe. March 23, 1707. *Copy.* 1 *p.*

583. xvii. Appraisement of negroes on Chappell Plantation, belonging to the late Sir Willoughby Chamberlaine, *as ordered xv. xvi. supra.* Total value, £565. April 15, 1707. *Signed,* John Frere, John Bowman, Ja. Aynsworth, John Rushworth. *Copy.* 1 *p.*

583. xviii. (a) Manuel Manasses Gilligan and Butler, his wife, to Governor Crowe. Pray for copies of proceedings in above case, in order to an Appeal to H.M. accordingly. *Signed,* Tho. Hodges, James Cowse. *Overleaf,* (b) Governor Crowe's order rejecting above petition, because the warrant of appraisement was not duely executed, nor the return thereof regularly made. Pilgrim, April 24, 1708. *Signed,* M. Crowe. *Copy. The whole,* 1¼ *pp.*

583. xix. (a) William Rayner and Eleanor, his wife, to Governor Crowe. Pray that William Copp be kept in close custody till he comply with an order of the Court and pay costs in a certain case, he having been committed for contempt in not paying, but being now at large. *Signed,* Wm. Rayner, Elenor Rayner.

(b) Governor Crowe's order for hearing this petition next petitioning day. Pilgrim, Aug. 9, 1707. *Signed,* M. Crowe.

(c) Order that Wm. Copps pay William Rayner the above-mentioned costs in two months. Pilgrim. Aug. 11, 1707. *Signed,* M. Crowe. 2 *pp.*

1709.

583 xx., xxi. Case of the Hon. Middleton Chamberlain, by his Attorney Dorothy Chamberlain his wife, and Dorothy Chamberlain and Eliza. Nanfan, the co-heiresses of William Chester, senr., *v.* John Egginton. Upon the petition of the latter, H.E. ordered that it be heard before him next Chancery day in course, and that meantime no attachment do issue against petitioner, for want of an answer. Pilgrim, Aug. 9, 1708. *Copy.* 4 *pp.*

583. xxii. Proceedings at a Court of Chancery held by Governor Crowe, May 12, 1708. In the case of John Milles *v.* Constance Shatterdon, 3 of the Council were of opinion that defendant's demurrer was good, and two of them together with H.E. that it ought to be overruled. Whereupon H.E. ordered it to be rejected. *Copy.* 1 *p.*

583. xxiii. Proceedings at a Court of Chancery held by Governor Crowe, March 12, 1708. In the case of Sir John Colleton *v.* the Hon. John Colleton, defendant's Councill moving for costs, complainant's bill being dismist, H.E. ordered the said motion to be continued, there being no Court without the Hon. John Colleton. *Copy.* 1 *p.*

583. xxiv. Governor Crowe *v.* Cuthbert Mittford. Chancery Court, Barbados. Complainants filed their bill June 6, 1705. A series of delays up till July 22, 1707, since which no proceedings. *Copy.* 1 *p.*

583. xxv. Richard Williams to Governor Crowe. Aug. 11, 1707. Petitioner sold a negro to Capt. John Summers for £30, of which he has only paid 40*s.* Prays for relief, having lost his all in a fire. *Signed,* Richard Williams. H.E. Order for Capt. Summers to attend next petitioning day. Capt. Summers said he could not do so. On Aug. 18 Governor Crowe ordered Capt. Summers to pay Williams £28 in a month. *Signed,* M. Crowe. *Copy.* 2 *pp.*

583. xxvi. Deposition of Humphry Waterman, jr. In Aug., 1707, he was possest of some negroes he had purchassed at a publick outcry. Philip Bamfeild pretending he had a right to them, Governor Crowe on his petition ordered deponent to attend. After treating him with the greatest rudeness and most vilifying expressions, without allowing him or his Counsil a due liberty of speaking in his defence and without hearing any evidences sworne on either side, he ordered him to deliver the negroes to Bamfeild. Deponent conceiveing H.E. had noe power to determine rights or titles to estates of inheritance, refused to obey. Whereupon he was informed that a warrant did issue to imprison him, but upon his offering to support himself as an English subject and to surrender himself, he heard noe more of the affair. H.E. told deponent in the hearing of Bamfeild, that if he, Bamfeild, should

1709.

shoot him, he would serve him but right enough, and within a short time afterwards deponent rideing quietly and unarmed in the Queen's highway, Bamfeild brought out a gunn and discharged it at him, shooting his horse in the shoulder, which died. *Signed,* H. Waterman. $1\frac{1}{4}$ *pp.*

583. xxvii. Deposition of Adrian Martin, Planter. On July 8, 1707, upon the petition of his wife setting forth grievances against him, which deponent offered to disprove, Governor Crowe, in spite of his protests, ordered said petition to be endorsed that deponent had agreed that his wife should have his only house with 3 acres of land and 3 negroes to live upon. H.E. called him a rogue, and told him if ever he went near his wife or said house he would send him to gaol, and turning to Mr. Sharpe said, what a sad misfortune 'tis we have not gallys for such rogues as this, etc. *Signed,* Adrian Martin. $\frac{3}{4}$ *p.*

583. xxviii. Deposition of William Anderson. In Oct. 1707, being then Marshall of the Court of Common Pleas, and having leveyd an execution on the estate of Thomas Dowding, decd., at the suite of the Attorneys of John Gardner, merchant of London, deponent was served with an order from H.E. to appear at Pilgrim on a petition of Mr. Stephen Gibbs against the aforesaid attorneys. H.E., upon hearing the said petition, ordered that deponent should forbear any further proceedings in the aforesd. executions. He did so, til some time after, upon a hearing of this matter before H.E. and Council deponent had liberty to proceed on the said execution. *Signed,* Wm. Anderson.

583. xxix. (a) Copy of an execution against Robert Arnol issued by Edward Burk, Chief Baron of the Court of Exchequer, Jan. 28, 1707. *Signed,* Ed. Burk. *Copy.* 1 *p.*

(b) Proceedings were begun in accordance with above order, Feb. 28, $170\frac{7}{8}$, but stopped by the Governor's order for 12 months. *Signed,* Arch. Darroch, Marshall. $\frac{3}{4}$ *p.*

583. xxx. (a) Copy of an execution against Mathew Gray, issued *as* xxix. (a). Jan. 31, 1707. *Signed,* Ed. Burk. 1 *p.*

(b) Proceedings were begun, but stopped by the Governor's order, *as* xxix. (b). *Signed,* Arch. Darroch. 1 *p.*

583 xxxi. Similar execution against John Smith, issued by Ed. Burk Feb. 3, 1707, and stopped by the Governor's order. *Signed as preceding.* 1 *p.*

583. xxxii. Similar execution against Charles Payton, issued by Ed. Burk Feb. 3, 1707, and stopped by the Governor's order. *Signed as preceding.* 1 *p.*

583. xxxiii. Petition of Katherine Herbert, wife and attorney of Capt. Saml. Herbert, to Governor Crowe. As relict

1709.

of John Farmer petitioner had commenced several actions of dower against James Cowse and John Hothersall, residuary devisees of Farmer. Her proceedings are stayed by an injunction bill in ye Court of Equity brought against her by James Cowse. But now Alexander Walker in the name of himself and others the Attorneys of John Watter now in England hath caused execution to be leavyed on the works of John Farmer's plantation called Cabbage Tree Walk, of which petitioner hath not as yet been endowed etc., and threatens to take up the coppers *etc.*, which will ruin the estate, if not prevented. Petition heard and dismissed July 26, 1708. *Copy.* 2 *pp.*

583. xxxiv. Petition of Arthur Slingsby and Susannah, his wife, to Governor Crowe. John Legay on Aug. 4, 1705 commenced an action against Susannah Slingsby, and claimed £2000 damage, for assaulting his wife, Sarah Legay, in Cheapside, St. Michael's, and causing a miscarriage thereby. Judgment was passed against them in default. On July 30, 1707 a writ of enquiry of damages issued upon the said judgment. The Jury found for plaintiff in £115 currt. with costs, upon which verdict the Court of Common Pleas have also given judgment for plaintiff. *Pray for* a writ of error, several matters having been unduly admitted in evidence. Writ ordered to issue accordingly by Governor Crowe, Sept. 1st, 1707. *Copy.* 3 *pp.*

583. xxxv. On hearing the above case, Oct. 28, 1707, H.E. and Council reversed the judgment given on the writ of enquiry. 1½ *pp.*

583. xxxvi. Deposition of Dorothy Chamberlain. Deponent and her sister having several suits pending, involving many thousands of pounds (*see No.* xxi.) and hearing that H.E. did generally take presents from persons haveing causes depending before him, they presented Dame Oriana, wife of Mitford Crowe, with his privity, 4 negro men slaves, value £128, and one fine silver brocade suit of cloths, a fine head-dress and rich ruffles and fan, of the value of £150, *etc.*, all which the said Oriana received. 1¼ *pp.*

583. xxxvii. Deposition of John Nusum. Deponent lived with Governor Crowe as manager of his Chapel Plantation. In June 1708, on the Governor's behalf he received five bulls and an ox from Mr. Robert Gibbes. *Signed,* Jo. Nusum. 1 *p.*

583. xxxviii. Deposition of George Tyrwhitt. Robert Gibbes, being in custody for debt, ordered him to take six cattle to the Governor as a present, which he did. A month later he took him 30 negroes loads of yam seed. H.E. told him to deliver them to his Agent, Patrick Thompson. *Signed,* Geo. Tyrwhitt. 2 *pp.*

583. xxxix. Deposition of Robert Gibbes. Having a consider-

able cause depending, he made presents to H.E. (*as* xxxvii., xxxviii.), who gave him encouragement to rely upon his favour in the determination of the said cause. *Signed*, Robt. Gibbes. 1 *p.*

583. xl. Deposition of Tho. Beckles that on May 21, 1709, Robert Gibbes refused to renew *preceding* deposition, unless summoned to it, for fear Governor Crowe might do him a prejudice in his cause still depending. *Signed*, Tho. Beckles. 1 *p.*

583. xli. Deposition of Charles Buckworth. Mary Mill, wife of Capt. William Mill, a prisoner of warr at Martinique, lived and died without paying rent in part of deponent's house. On her death, deponent took an inventory of her goods on his own account and for his own justification. Susannah Scott, her mother, obtained administration of William Mill's estate when he died, and upon her petition Governor Crowe ordered deponent (Sept. 15, 1707) to deliver up his inventory. With this order he was never legally served, and it was illegal, even if he had been. Oct. 13, H.E. committed him to prison for refuseing to deliver up this, his own property. Bail was at first refused. When he appeared before the Court, a nolle prosequi was entered contrary to his desire. *Signed*, Cha. Buckworth. 1½ *pp.*

583. xlii. Deposition of William Small. Acting as gaoler in May 1707, he permitted John Markand, a prisoner, to go into the town in order to procure some subsistance and clean cloaths. Governor Crowe did thereupon commit deponent for contempt, and, whilst he was in prison and moved for a *habeas corpus*, gave his place as Marshall to the troop of guards and the regiment to one Mr. Gibson, who came hither with and was dependent on H.E. H.E. was angry at his moving for a *habeas corpus, etc. Signed*, W. Small. 1¼ *pp.*

583. xliii. Governor Crowe's warrant for committing Small *as in preceding*. May 21, 1707. ¾ *p.*

583. xliv. Deposition of Paul Manier, wig-maker. On Aug. 2, 1707, deponent having credited several sailors and fearing they would leave without paying, petitioned H.E. through Patrick Mein for relief. H.E. in great heat thereupon committed deponent to the custody of the guard, and refused to hear him. *Signed*, Paul Manier. ¾ *p.*

583. xlv. Deposition of Hugh Hall that Thomas Godfrey, in reply to his question, confirmed that the Governor had made him swear not to co-habit with Mrs. Ann Deacon. *Signed*, H. Hall. ½ *p.*

583. xlvi. Deposition of Norman Mackaskell, Depty. Clerk of the Crown. On Dec. 24, 1708, H.E. sent for him and required him to take this oath, vizt. that, "you shall true answer make to all such questions as shall be demanded of you relateing to the proceedings of

1709.

the late Court of Grand Sessions." Deponent refused until he had copyes of the queries, which were produced but never read to him. He was the same night committed to the custody of the Provost Marshall, where he remained until he and his sureties had entered into a recognizance of £1000 for his enlargement. On Jan. 8, 1708, after the Councill was adjourned, the Governor tendered to deponent copies of two or three papers, all of the same tenor, the first draught whereof had been drawn up by Mr. Hodges, which were affixt to the copys of the Records of the Grand Sessions then prepareing to be transmitted under the Seale for England, to which papers the Governour (att the request of Hodges) demanded if deponent would swear. Deponent refused, and prayed to have the reasons of his refusall then taken and entered, which was denyed him, the Governor growing angry and threatening him. Deponent desired John Robinson and Patrick Davidson, then present, to take notice of all that had then past. *Signed,* Norman Mackaskell. 1½ *pp.*

583. xlvii. Deposition of Giles Cooke, Clerk to N. Mackaskell. *Corroborates preceding.* 1 *p.*

583. xlviii. Protest by Alexander Skene, Public Notary, on behalf of Benjamin Ballard, Raynes Bate, and Thomas Stewart, Agents for the Royal African Company, against Samuel Cox and John Hinton, who placed two men on board the *Sherbrowe* frigat, and by order of H.E. refused to allow the negroes, elephants' teeth *etc.* on board her to come on shore. Nov. 21, 1707. *Signed,* A. Skene. 1½ *pp.*

583. xlix. Minutes of Council of Barbados, Nov. 21, 1704. 1½ *pp.*

583. l. Journal of Assembly of Barbados, Nov. 3, 1707—Jan. 8, 1708. 6 *pp.*

583. li. List of days on which the Assembly met and adjourned, Oct. 1707—Jan. 16, 1708. 1½ *pp.*

583. lii. Deposition of Daniel Hooper. On Dec. 28, 1707, deponent with his brother Robert Lettice Hooper asked H.E. how he intended to dispose of ye Regiment then under command of deponent by the death of Col. Lyte and the resignation of Lt. Coll. Whetstone. H.E. said he had given it to Mr. Maxwell and desired deponent to serve under him as Lt. Coll. and his brother as Major. Deponent refused, Mr. Maxwell having been publickly his enemy and never in a higher post then Major, till H.E. had made him a Brigadeer. The officers of the Regiment thereupon threw up their commissions. H.E. then proposed that if deponent and his brother would turn Mr. Maxwell out of the Assembly, he would give the regiment to deponent. They refused commissions on any such terms. *Signed,* Dan. Hooper. 1¼ *pp.*

583. liii. Deposition of Robert Lettice Hooper. *Corroborates preceding. Signed,* R.L. Hooper. 1 *p.*

583. liv. List of 5 Colonels, 9 Lieut. Cols. and 5 Majors in Barbados. 1 *p.*

583. lv. Christopher Codrington to [?]. Barbados, June 1, 1709. I informed H.E. that Mr. Maxwell was promoted contrary to all ye rules of military discipline, but has ever since been very jealous to deserve the honour that was done him, *etc.* *Signed,* Chr. Codrington. 1 *p.*

583. lvi. Rebecca Hay, widow of George Hay, to Governor Crowe. Executions were levied on her behalf on William Sealey's cattle. He petitioned Judge Richd. Downes that the levy might be removed under colour of a mortgage of the cattle which he pretended he had executed to Timothy Roberts and Thomas Bullen, planters. The petition was dismissed, but next day Richard Downes examined two evidences, without any new petition preferred or notice given to petitioner to cross-examine, and ordered petitioner's levy to be removed.

Order by Governor Crowe that Richard Downes rehear above case within ten days and proceed therein according to law. Sept. 27, 1708. *Signed,* M. Crowe. *The whole,* $2\frac{1}{4}$ *pp.*

583. lvii. Richard Downes' judgment etc., Sept. 14, 1708, *referred to in preceding.* $2\frac{1}{2}$ *pp.*

583. lviii. John Bentley and Elizabeth his wife to Governor Crowe. Petitioners have actions for considerable sums of money depending in the Court of Common Pleas for St. Michael's, against Richard Downes, Chief Judge of the Court. William Roberts, one of the Assistants of the Court refuses to act as such, whereby petitioners' causes are delayed. *Pray* H.E. to appoint another assistant.

Order by Governor Crowe referring above petition to Richard Downes for his opinion. Feb. 25, $170\frac{8}{9}$. $1\frac{1}{2}$ *pp.*

583. lix. William Sharpe to Governor Crowe. May 17, 1709. I understand from Brittain that base unworthy persons have had the confidence to accuse me of being a forger of bonds. *Repudiates* the suggestion and appeals to H.E. and Council to declare whether they ever had so much as suspected of it, *etc.* *Signed,* Wm. Sharpe. *Endorsed,* Recd. July 30, 1709. *Copy.* $1\frac{1}{2}$ *pp.*

583. lx. Christopher Codrington to Governor Crowe. I have been earnestly requested by many worthy Gentlemen to deliver your Excellency this paper, my hand and my heart goe along with it. We aim at nothing more than that the dignity of Government may be preserved, and H.M. sacred authority supported against all attempts whatsoever. Your Excellency cannot but remember what the Queen's answer was to an Address of Peeres concerning the Lord Almoner, and shall an Assembly of Barbados planters pretend to tell H.M. whom she shall or shall not employ in her service. 'Tis well known, sir, I have no unkindness for some of the

Gentlemen who have unadvisedly consented to so bad an Address. But when they so far forget themselves as to become undutyfull to H.M., I think myselfe oblig'd in honour and prudence to express my just resentments, with other good subjects, that wee may not all be involved in their guilt, nor share in the ill consequences of their folly. *Endorsed*, Recd. Aug. 9, 1709. *Copy.* 1 *p.*

583. lxi. Address of the inhabitants of Barbados to Governor Crowe. *Protest* against Address of Assembly, which urged him not to admit the 3 Councillors as ordered by H.M. *Signed*, Chr. Codrington *and* 590 *others. Copy.* 2 *large pp. The whole endorsed*, Recd. July 30, Read Aug. 10, 12, 15, 1709. [*C.O.* 28, 12. *Nos.* 32, 32.i.-lxi.; *and* (*without enclosures*) 29, 11. *pp.* 486-488.]

June 20.
Whitehall.

584. Council of Trade and Plantations to the Earl of Sunderland. Enclose copy of Major Loyd's letter, Feb. $\frac{4}{15}$, 1709. [*C.O.* 195, 5. *p.* 111.]

June 20.

585. Further proposal from the Marquis of Kent for settling the German Protestant Refugees (*cf.* June 11). *Endorsed*, Recd. 20th, Read June 21, 1709. 3 *pp.* [*C.O.* 388, 76. *No.* 67.]

June 20.
Barbados.

586. Governor Crowe to the Council of Trade and Plantations. *Refers to* duplicate of May 18. There has nothing since occurr'd new, but what relates to the men of warr, which the Council and Genl. Assembly has sent home to their Agents to lay before ye Queen and your Lordps. The *Frankland* packet arrived two dayes agoe, but honours me with none of your Lordships' commands. *Signed*, M. Crowe. *Endorsed*, Recd. July 30, Read Aug. 2, 1709. 1 *p.* [*C.O.* 28, 12. *No.* 31; *and* (*duplicate*) *No.* 51; and 29, 11. *p.* 485; *and* 29, 12. *p.* 56.]

June 20.
Antigua.

587. Governor Parke to the Council of Trade and Plantations. *Refers to following.* By Capt. Scot I shall send yr. Ldpps. my own answer, wch. will be a perfect history of my administration. I hope it will be sattisfactory, and if it be defective, please to let me know in what, *etc. Signed*, Daniel Parke. *Endorsed*, Recd 1st, Read 5th Aug. 1709. 2 *pp.* [*C.O.* 152, 8. *No.* 30; *and* 153, 10. *p.* 367.]

June 20.
Antigua.

588. Council of Antigua to the Council of Trade and Plantations. *Commend* Col. Yeamans, Lt. Governor of Antigua, against whom, as against Col. Parke, articles of complaint are being secretly prepared, for what cause we cann no ways imagine, *etc. Signed*, Jno. Hamilton, Will. Codrington, Thomas Morris, Geo. Gamble, Richard Oliver, William Byam. *Endorsed*, Recd. Sept. 20, Read Nov. 17, 1709. *Addressed.* 2 *pp.* [*C.O.* 152, 8. *Nos.* 31, 31.i.; *and* 153, 10. *pp.* 368, 369.]

1709.
June 20.
Antigua.

589. Lt. Governor and Council of Antigua to the Council of Trade and Plantations. *Enclose following. Signed,* John Yeamans, Jno. Hamilton, Will. Codrington, Thomas Morris, Geo. Gamble, Richard Oliver. *Endorsed,* Recd. 1st, Read 5th Aug., 1709. 2 *pp. Enclosed,*

589. i. Answer of the Lt. Governor and Council of Antigua to the 22 Articles of complaint exhibited against Governor Parke. (1). We never heard him say any such thing. (2). We approved of the General's treatment of Mr. Chester. Col. Gamble informes us that he was one of the Justices that took baile of Mr. Chester. The General never threatened him, but angrily told him he wondered he should take bail for a man committed by himself and Council for murder, but more especially considering he refused acting in other matters as a J.P. The General informed us that he turned out the Marshall for suffering Mr. Chester to go at large without any officer with him, before he had given bail, *etc.* (3). We never knew the General demanded by what right any man held his estate, except Col. Codrington, who refused to answer in the case of Barbuda. By the advice of the Council he proceeded no farther in it. (4—7). Refer to Minutes of Council. (8). Notoriously false; for at the election of the Assembly before this, there was hardly any disputes, and the Generall was at St. Xtophers for severall weekes before and after the last Assembly was called; wee writt him whilst he was there to desire him to call an Assembly, and there he sign'd the writts *etc.* The first dispute about the negative voice was occasion'd by the Generall's being off the Island, they ordering their Speaker not to sign what laws were ready to be sent down to the General to pass, it being their opinion that a law is not in force untill it be signed both by the chief Governor and Speaker, so that if the Genll. had passed all the lawes sent him, if, when return'd, the Speaker refus'd to signe them, they were to be noe lawes, which was plainly giving the last sanction to the Speaker, which no Assembly before thought of, and unless the General would consent to their Speaker should give the last sanction, they would neither quarter the soldiers, nor raise a tax to pay of the publick creditt, though the Generall generously desir'd them to lett alone what was due to him for house-rent, which was then £1000. (9). Defects in the Militia are chiefly occasion'd by want of a proper law to enforce officers and soldiers to doe their duty, which both the Generall and ourselves have recommended to noe purpose. As to the fortifications, he has always been desirous of carrying them on, and particularly that of Monk's Hill, because it was the inclination of the people, tho' himself had no great opinion of it; the discontinueance of the

1709.

workes there being occasion'd for want of the Assembly's consent to a Law, without which they cannot be carry'd on. The removing of the gunns from the severall plattformes was left to the Generall's direction by the Assembly, and the Treasurer was order'd to pay the expence; the disposition the Genll. proposed to make in case the enemy attacked us, was contrary to the opinion of the Councill and the Militia Officers, and to our former Generall, Col. Codrington; but his opinion was not made into an order further than that he order'd all the Militia and Queen's troopes to meete in one body at St. Johns, which order, at the request of the Councill, the Generall afterwards revealed [*sic*]. (10). We have heard the Governor as Chancelor say that as he found (directing to the lawyers) the equity of the cause, notwithstanding their presidents and what they asserted for law, he would accordingly judge. As to his decrees, wee never heard of his making any, except in the case of Judge Wattkins, as executor to one Waller, to which he called the Council to his assistance, which decree wee are satisfied was reasonable, equitable and just. As to the generall injunctions mentioned frequently to be granted, wee know not but of one, and that in the case of Lt. Coll. Morriss and Capt. Wattkins, which being occasion'd by a mistake in the Clerke in the Secretary's Office, when it was issued, as soone as the Governor was appris'd of it, he declared he was wholly ignorant of it, and expressed his abhorrence thereto by owning such a proceeding would be very unjust, and did accordingly recall the same. Wee know of no injunction issued without bill first filed, nor has any been otherwise granted, tho' there is on the Chancery books such an order, but it was never putt in execution, nor does the General or either of us remember the Clerke had any direction for entering such an order, and believes it a mistake in the Clerke. As to bringing in bonds for ⅓rd or ½ the vallue, wee know not what is meant by it, nor do wee understand that any injunctions have been granted to avoid the penalty of the bond, that ever came to hearing, if there were any such, the parties made it up between themselves. The Generall was very far from being arbitrary, for he alwayes tooke the advice of those of the Council that satt with him, and when the cause seemed intricate, he referred it home for the opinion of two Chancery men there, as in the case of Col. Morriss. (11). Wee know not of his threatning to turne out any Judge or J.P., nor did he turne out Judge Wattkins, neither doe wee believe he would displace any officer for not being aplicable to ill purposes. As to the Mandamus mentioned, wee thinke it very just. *v.* Minutes of Council. (12). We believe the Governor is well justified. (13).

1709.

Wee know of no seizures made by order of the Governor nor any Judge of the Admiralty appointed by him, save the present Judge Herbert Pember, Attorney General of the Leeward Islands, a person bred to the law, and of good life and conversation. He has encouraged all fair traders, and has never taken any advantage of the master when he had lost his register as his predecessors did. Wee never heard of any vessells seized in this Island, but a small sloope of Major Blizards; after she was condemned, he gave his part because he believed there was no designe of fraude: wee have heard of a small sloope he order'd to be seiz'd at St. Christopher's that came from Currasow, belonging to Mr. Chester, and another of his for carrying sugar without paying the 4½ p.c. or qualified. (14). The General is justified, being adressed to by the Assembly and Councill for so doing, and his revealing [*sic*] that order was after the hurricane there being a great quantity of powder lost. The very men that adressed him have signed this article, and made it a crime. (15). Wee have understood the fees mentioned to be so inconsiderable that the Governor has scarce thought them worth collecting. They were settled by the Councill and Assembly of St. Kitts at his first coming, and neither the Councill or Assembly of this Island ever acquainted him they thought them an agrievance, even when he offered to redress any grievance. (16). Refer to deposition of Capt. Roach, a merchant of a very fair character. (17). Wee know of few or no J.P.'s made, but what were formerly soe, except one Thomas Gateward, which was recommended to the Governor as a person knowing the law and living in St. John's; others refusing to act, he was put into the Commission; nor do wee believe (as wee take him to be a person chiefely they hinted at) to be of soe despicable a character as set forth in this Article. Wee are of opinion that when he was by us recommended to the Generall, he was a perfect stranger to him, it being at his first coming; he was also recommended to the Generall to be Master in Chancery, there being nobody fitter for it, that would accept of it. (18). Wee know that John Hain had the command of one of the Generall's sloops, and it is not deny'd, but it has been reported, that he killed some Spaniards in cold blood, but it was the beginning of this warr, when wee were in hostility with them, and tho' the action was no way commendable, yet wee see not what occasion there was for a pardon, nor do wee thinke he ever apply'd for, or any ever was given him; he lives with his family at St. Kitts, and may be taken up at any time; and wee are confident the Generall will not protect him from Justice. (19). The Governor has often expressed himself with a pecuculiar regard for this Island, *etc. Refer* to depositions. (20). Wee are wholly strangers to any such expressions proceeding from the Generall, nor ever heard of such reports. The Governor announced he was ready to receive grievances *etc.* and help to forward them to England. (21). Wee have not heard of any Commissions refused since the Act, nor have wee knowne of any tenths or other summs exacted for his Commissions, but it has alwayes been the custome of privateers to pay the tenths to the Lord High Admirall; and that he has had $\frac{1}{10}$ and more out of what has been taken by his owne privateeres; and that according to agreement with the commanders that went in them, which wee thinke lawfull and reasonable for the owner. The Generall's privateeres were of great service to the Islands. As soone as the Act of Parliament for encouraging of privateeres came out, he disposed of all his. (22). *Refer* to depositions. 8½ *pp.*

589. ii. Reply of the Lt. Governor and Council of Antigua to the merchants' petition to the Queen. Several of the 21 subscribers are strangers to us, and have little or noe effects in this Island. The best part of the inhabitants thinke the Generall has acted with zeale for H.M. service and good of this Government. And whereas this petition mentions new Articles of insulting their persons, and by neglect of the guards the enemy's dayly insulting the Island, and their negroes being in danger, wee never heard the Generall insulted any of them, but on the contrary they have insulted him, both when they committed the riot at Mr. Chester's, and alsoe Barry Tankard in the street. And whereas they say they could have better proofes but that people were affraid of the Generall, little agrees with their actions here, for not only Mr. Nivine's chamber was an office for severall months for everyone to come and give an account of what they knew, or had heard of the Generall, but there were severall feasts made all over the Island, and all sorts of people treated and openly encouraged under the Generall's very nose to come in against him, and they gave out they were soe sure he would be removed, that those that had a just abhorrence of their proceedings were unwilling to shew their resentment openly because they would not draw upon themselves the spite and malice of those men. As to their letters being intercepted, there was not for above 5 months any packett, and we think it a very scurrillous reflection, without any just cause, for the same. There has been few or no negroes taken of by the enemy since the Generall came, though before his time wee lost above 100. Those merchants have little reason to be afraid of their effects, if they had any here, for noe man has ever

encouraged the fair trader more than Generall Parke, though he is a scourge to the smuggler. We are not a little pleased to find that the merchants that have the greatest effects on this Island, have not signed this petition, *etc.* *Signed,* John Yeamans, Jno. Hamilton, Will. Codrington, Thomas Morris, Geo. Gamble, Richard Oliver. *Endorsed,* Recd. Aug. 1, 1709. 3 *pp.*

589. iii. Deposition of George Gamble. Antigua, June 14, 1709. Capt. Giles Wattkins said to him that they had raised a considerable sum of money and Nivine would see to it that Governor Parke was condemned, *etc.* *Signed,* Geo. Gamble. 1 *p.*

589. iv. Deposition of Elizabeth, wife of John Wright, merchant. Antigua, June 18, 1709. I informed the Generall that Mr. Sawyer of Virginia was killed by Mr. Chester, who bid me summon the Coroner. Next morning I being informed by the Constable that they did not like the jury he had summoned, and the next day he had gott another jury, and being told by others that Mr. Chester had sent for Mr. Glanvill to be of the jury, I concluded there was some unjust designe on foot, and told the Generall. He went to the crowd where the body was. He did not threaten anybody, but told the Marshal a man committed for murder ought not to walke the streets. He ordered Mr. Sawyer's wound to be exposed to everybody's view, and went away, having first ordered the Coroner to ask the witnesses some questions. Witness believes the wound Mr. Chester gave Mr. Sawyer caused his death, *etc.* *Signed,* Eliza. Wright (mark). 1½ *pp.*

589. v. The interrogatories of Samuel Wickham, Coroner, taken before the Lt. Governor and Council, June 18, 1709. *Corroborates preceding.* *Signed,* Sam. Wickham. 2½ *pp.*

589. vi. Col. Lilly to Governor Parke. I find [*Antigua*] open to the attempt of an enemy when and allmost wherever he shall please to attack. There is no such thing in the whole country as deserves the name of a fort, for that which is built upon Munck's Hill is not so, since an enemy may upon his first landing (without haveing occasion to bring any canon against it) easaly make himselfe master of it with sword in hand, nor can this place in my opinion be well fortifyed without a very great deal of unnecessary expence. *Gives reasons.* *Proposes that* some other place should be pitcht upon, *etc.* *Signed,* Cr. Lilly. *Copy.* 1 *p.*

589. vii. Deposition of Thomas Morris. Giles Watkins sued deponent in an action of ejectment. Deponent obtained an injunction to stay proceedings, signed by H.E. But when deponent found that the form of injunction granted was a general one, he informed Watkins that he would take noe advantage of it in any other cause, *etc.* *Signed,* Thomas Morris. 1¾ *pp.*

1709.

589. viii. Order of Court of Common pleas for the precincts of Falmouth, July 18, 1708, in the case of William Grear *v.* Henry Fletcher. In the absence of defendant and his counsel, Mr. Nivine, ordered that the 4 negroes in dispute be delivered to plaintiff, he giving security to prosecute at the next Court held, *etc.* Writ of attachment issued against defendant. *etc.* *Signed,* Thos. Kerby, Cler. Cur. 1½ *pp.*

589. ix. Deposition of John Brett, Naval Officer, Antigua. In May, 1707, Governor Parke showed to him an account settled between him and Edward Chester, senr., wherein Chester had given credit for two sums of £250 each, which deponent apprehending to be paid in specie, acquainted the Governor that he had injured himself in suffering the said two sums to go towards the discharge of the accompt which was £800 for 20 negro women bought to be paid in the country produce, their being at that time near 50 p.c. difference between country produce and specie in money. Whereupon the Governor said that the next time he adjusted accompts with Chester, he would do himself right by stopping so much as the difference amounted to. Deponent has since heard that the Governor did stop in his hands £150 of Chester's money on that score. *Signed,* John Brett. 1½ *pp.*

589. x. Deposition of Jos. French, Treasurer of Antigua. Governor Parke told deponent July, 1708, that he had informed some of the signatories to the Articles of complaint, that if they had any grievances they should set them forth and he would redress those that were really so. The Governor told deponent two of the articles were utterly false *etc. as preceding.* *Signed,* Jos. French. 1½ *pp.*

589. xi. Governor Parke's warrant to Custom House Officers to make diligent search in St. Johns and in the vessels in St John's Harbour for prohibited goods, *etc.* Dec. 3, 1707. *Signed,* Daniel Parke. 1 *p.*

589. xii. Deposition of Richard Buckeridge, Collector, and John Brett, Naval Officer. Pursuant to preceding warrant, they made diligent search, especially for a parcell of brandy, which was noised abroad to be landed and belonging to Mr. Edward Chester, senr., but no brandy or prohibited goods were found. The Governor on this and other occasions caused deponents to be very exact in the discharge of their offices. *Signed,* Richd. Buckeridge, John Brett. 1½ *pp.*

589. xiii. Deposition of Thomas Kerby. Deponent drew the abovementioned warrants, *etc.* *Signed,* Tho. Kerby. 1¼ *pp.*

589. xiv. Deposition of John Barbollain. Deponent having been acquainted of the seizure of some butter and tobacco upon a supposition that it was intended to be

1709.

carryed to Martinico in a French Flag of Truce, Aug., 1707, he never petitioned the Governor for it. *Signed*, John Barbollain. *Copy*. 1 *p*.

589. xv. Deposition of Richard Buckeridge, collector. Governor Parke instructed him to be very carefull in the exact discharge of his office. Deponent caused many seizures to be made accordingly. He does not remember any seizure made but not brought to tryal the last 18 months, but one small sloop alledged to have been belonging to Col. Wm. Thomas of this Island, which sloop because the Queen's Councillor was att a loss how readily to draw a libell suitable to the transgression, and Thomas refused to take her into his care til could be brought to a tryal, she perished in the harbour, and nothing since was done therein, she being scarce of any value. *Signed*, Richard Buckeridge. ¾ *p*.

589. xvi. Deposition of John Brett, Dep. Collector. Governor Parke frequently ordered him strictly to search all flaggs of truce, and hinder them from carrying any provisions or prohibited goods. Some butter and tobacco of very little worth was accordingly seized, said to belong to one Barbottaine (*see* xiv.), who said, Let them answer, that shipp'd it. No claim was made relating to this seizure. During his time of office no seizure except this was made and not brought to a tryall. *Signed*, John Brett.

589. xvii. Governor Parke's Warrant to Samuel Watkins, Receiver of the powder in Antigua. St. Kitts, May 20, 1708. You are to receive of all masters of ships the powder in kind, there being great want of powder. This you are to do notwithstanding a former order for excuseing the inhabitants of Antigua, the law not excuseing any one, that order being granted at the request of the Assembly of Antigua, when there was plenty *etc*. *Signed*, Daniel Parke. *Copy*. 1 *p*.

589. xviii. Deposition of Thomas Kerby, Register of the Ordinary's Office. H.E.'s fees in this office have amounted but to 113 pistoles, 24*s*., accounting 28 shillings for each pistole. H.E. has remitted fees of administration, guardianship and probates of wills to the poor and orphans, *etc*. *Signed*, Thos. Kerby. *Copy*. ¾ *p*.

589. xix. Deposition of John Roach. Oct. 1707, Edward Chester senr. offerred Governor Parke some damnified flour for his negroes, saying it was not worth anything. He never mentioned one word of any register, *etc*. ¾ *p*.

589. xx. Deposition of Francis Rogers. Dining at deponent's house, Governor Parke being moved in passion said that, were it not for some friends in Antegua, he did not care who the devill had the Island, or who ye devill had the Government, but deponent does not remember he should say he would send the Island to the Devill, but on the contrary has oftentimes heard him

1709.

express himself with peculiar regard for its prosperity, as witness, his precautions for its defence. *etc.* *Signed,* Francis Rogers.

589. xxi. Deposition of the honble. George Gamble. Corroborates preceding. *Signed,* Geo. Gamble. 1 *p.*

589. xxii. Deposition of Joseph French, Treasurer of Antigua. Governor Parke has brought guns and troops from the other Leeward Islands for the defence of Antigua, etc. *Corroborates preceding.* *Signed,* Jos. French. 1 *p.*

589. xxiii. Deposition of John Roach. Governor Parke granted him a Commission for a privateer without making any bargain with him. As he let him have some guns, it was agreed to let him have the tenths formerly paid to Governors. Since the Act of Parliament, he has never taken anything for prizes. Edward Perrie, Commissioner of Customs, tried to induce deponent to swear falsely that he had taken the tenths since the Act. *Signed,* Jno. Roach. 1 *p.*

589. xxiv. Deposition of Capt. Thomas Newell. Governor Parke has often ordered him to go the rounds in the night at St. Johns, and several times accompanied him, by which means the Towne has been kept in very good order. He never saw him eves dropp at any house, *etc.* *Signed,* Tho. Newell. *Copy.* 1 *p.*

589. xxv. Deposition of John Bishop. Corroborates preceding. *Signed,* John Bishop (Mark). *Copy.* 1 *p.*

589. xxvi. Deposition of Robert Jones. Corroborates preceding. *Signed,* Robert Jones (Mark). *Copy.* ¾ *p.*

589. xxvii. Deposition of John Brett. Appointed by Mr. Dummer to receive and open the mails, deposes that the Governor never received or asked for any letters but those directed to himself. No letter has been intercepted that he knows of. *Signed,* John Brett. 1 *p.* [*C.O.* 152, 8. *Nos.* 32, 32. i.-xxvii.; *and* (*without enclosures*) 153, 10. *pp.* 372, 373.]

June 20.
Antigua.

590. Governor Parke to the Council of Trade and Plantations. *Refers to preceding.* The affidavits were publickly taken. I have more to take, some who are off the Island, *etc.* I shall send the duplicates of the Minutes of Councill which I sent by Capt. Buor, and a coppy of all the proceedings of Chancery and the Councill of Officers. I durst not venture them by a single shipp for fear to loose them, considering with what difficulty I gett them. My predecessour Coll. Codrington did not care to send home his Minutes of Councill, and the Secretary being his friend and my enemy won't lett me have them to send home, knowing very well it is for my intrest to have your Lordshipps truly informed, and the Councill and myselfe both have reason to believe all along he has told them everything that has passed in Councill; that were noe great matter, but we believe he has misentered some things, and some others he has not entered at all, and though he lays it upon his Clerke, the writeing the generall injunction we all believe it was designed by him to give a collour for the Article, knowing I never read the injunctions, when I see his hand to them that they are passed the office, I signe them. Wee find in the Minutes of the Chancery that he has entered a short order that injunctions may issue though no bill filed, though both myselfe, Lt. Governour and Councill upon our oaths will declare he never had any such directions for soe doeing; but it being my constant custome to enquire if a bill was filed before I granted an injunction, his designe in that was defeated, for there never was any injunction granted till the bill was filed, as apears by the Minutes in Chancery, notwithstanding that order, soe that for the future I must be forced to see myselfe all the entrys. This is a hard case that I must have a Secretary put upon me, that shall use me after this manner. If Sir Charles Hedges does not send over a good Secretary, the Councill and myselfe shall be obliged to complaine in forme to your Lordshipps and desire redress. I hear now they are forgeing Articles of Complaint against their Lt. Governour, they have indeavoured by all the ways and means possible to draw him over to their side, he has often told them if they would prove any one Article against me, he would joyne in the complaint. This Gentleman is a man of good famally, and has been their Lt. Governour for many years, and in three years that I have been here he has never missed one Councill; he has one of the very best estates in the Island, and has none anywhere else, and has a numerous ffamally of children and grandchildren all settled here; therefore it would be strange he should not be in the true intrest of the Island, there was a great deale of paines taken to make a difference between Sir William Mathewes and this Gentleman, and Sir William writt home that he being no soldier (for he could lay nothing to his charge) desired he might be removed; but Sir William saw his error before he died, and owned that he had been abused. This Gentleman is as much a soldier as any of the other Lieut. Governours, for all the soldiershipp any of them can pretend to, is what they have seen here, and he has done the same, being a man bred to the Law, he never affected the title of Coll., but he understands as much of it as any of them doe and better as having more sence. Whatever articles they may draw up against him, when they come to be examined into your Lordshipps will find he will clear himselfe with honour, and they will all be found both false and malitious. I dare say in this case he desires noe more then common justice, which is all I desire myselfe; the reason the other three Councillors have not signed the answer etc., they were not able to come. Major Lyons has been lay'd up near this 18 months, and the Byams were sicke. *Signed,* Daniel Parke. *Endorsed,* Recd. Sept. 10, Read Nov. 17, 1709. 4 *pp.* *Enclosed,*

590. i. Copy of Proceedings of the Court of Chancery, Antigua, Sept. 12, 1707—Sept. 23, 1708. *Endorsed,* Recd. Sept. 10, 1709. 10 *pp.*

1709.

590. ii. Copy of proceedings of the Council of Officers, Antigua, July, 1706—March, 1709. *Same endorsement.* 14 *pp.* [*C.O.* 152, 8. *Nos.* 42, 42. i., ii.; *and* (*without enclosures*) 153, 10. *pp.* 421-425.]

[June 21.] **591.** Lt. Col. Charles Floyer to the Council of Trade and Plantations. Recounts his service. He had a brevet for Lt. Col. in Col. Jones' Regiment in the Leeward Islands, with which he was serving, and a promise of the Regiment, which has now been given to a younger officer, a stranger to the Regiment, and a then prisoner of France. *Prays* that his case be considered, *etc. Endorsed,* Recd. 21st, Read 27th June, 1709. 1 *p.* [*C.O.* 152, 8. *No.* 20.]

[June 21.] **592.** List of poor Palatines, (names, trades, religion) arrived in St. Catherines May 1st—June 11th, 1709. With abstract. *Total,* 6519. *Endorsed,* Recd. 16th, (from Mr. Tribbeko) Read 21st June, 1709. 115 *pp.* [*C.O.* 388, 76. *Nos.* 68-70.]

June 23. **593.** Mr. Tribbeko and Mr. Ruperti to the Council of Trade and Plantations. Request assistance in work of relieving the German Protestant Refugees, *etc. Signed,* John Tribbeko, A. Ruperti *Endorsed,* Recd. Read June 23, 1709. 4 *pp.* [*C.O.* 388, 76. *No.* 75; *and* 389, 36. *pp.* 430-432.]

June 23. Whitehall. **594.** Council of Trade and Plantations to the Lord High Treasurer. Submit preceding Memorial. [*C.O.* 389, 36. *p.* 433.]

June 23. **595.** London Society for Mines Royal to the Council of Trade and Plantations. Further proposal for employing German Protestant Refugees in Welsh mines. *Signed,* Moses Stringer and 7 others. *Endorsed,* Recd. Read June 23, 1709. 4½ *pp.* [*C.O.* 388, 76. *No.* 76.]

June 23. St. James's. **596.** Order of Queen in Council. Lord Baltimore's petition (May 19) is dismissed, the parties having been divers times heard before the making of the Order complained of. *etc. Signed,* John Povey. *Endorsed,* Recd. Read July 5, 1709. 1½ *pp.* [*C.O.* 5, 720. *No.* 6; *and* 5, 1264. *No.* 75; *and* 5, 1292. *pp.* 141, 142.]

June 26. Antigua. **597.** Governor Parke to the Council of Trade and Plantations. I had not the honour to recieve any letter from your Lordshipps by this packett except two duplicates. I am the more surprised at it, because by the last packett, my Agent Mr. Micajah Perry, writt me word Nivin had delivered in the Articles, and they were referred to your Lordshipps, he alsoe sent me a coppy of them, which I have answered myselfe, every article very largely, which is in a manner a history of my administration. *Refers to other enclosures.* I don't doubt but your Lordshipps will be satisfied when you see *them.* The affidavits are made by the very best Gentlemen of the place. What the Lt. Governour and Councill have done is allsoe upon their oaths as Councillors. And your Lordshipps will find, if they have any affidavitts to support any Articles, they are made by Irish Papists, proffligate wretches, bankrupts, or some that depend on Coll. Codrington, or others that are affraid of the Court of Chancery. I wish part of their £5000 they have raised has not been lay'd out to stopp my letters, for I had not one in this packett, except a single letter from one Gentleman, who tells me Nevine offered your Lordshipps £30,000 security to prove all the articles, provided I might be suspended and Commissioners sent to hear it. I thinke it a piece of injustice to suspend me upon his request, or to be called home; but this my Lords I will agree to, that if Mr. Nivine will give good secureity, such as Mr. Micajah Perry aproves of, for £3000 to be paid me for my hazzard, cost and dammages, provided he does not prove before your Lordshipps all or ye greatest part of the articles, or soe many of them, for which your Lordshipps shall think I deserve to be removed, upon such condition I desire I may have leave to come home to answer them before your Lordshipps, for I am very sure your Lordships will doe me justice; but if they are to name one to command in my roome, and Commissioners are to be sent here to heare it, I may conclude I shall not have justice, for these reasons, first noebody will come here as a Commissioner but one of a small or decayed fortune, and such a man (let his character be what it will) is lyable to corruption, especially if great sums are offered, and I know Codrington soe well (though he is as covettous as a Jew) yet to gaine his ends and have his revenge, I know he would give £10,000, and I don't know but that sett of men would make up the sum they have raised as much more. Men need be very virtuous to withstand such a temptation. Then Nevine will have the opertunity of makeing himselfe acquainted with them and come with them, and though he is the most insolent fellow alive, yet when it is to gaine his ends, he can fawne like a spanniell. When these Commissioners comes over, to be sure they must not live with me, and there are noe publick houses fitt to entertain them, soe that in course they must live with my enemys, or my friends, and your Lordshipps knowes, revenge is much more industrious then friendshipp, it being alsoe observed that friendshipp is coldest in hottest climates, though mallice is most inveterate. All these considered, I begg that I may have my cause brought before your Lordshipps, and that I may have noe Commissioners sent out. I once did think it best to have Commissioners on the spott, but these reasons which have been since given me, have altered my mind, I only fear bribery, for I am very well assured they can doe me noe harme if I have justice, for I have done nothing contrary to law, or my Instructions, and notwithstanding this claymour now against me, I had been very easy notwithstanding all Col. Codrington's mallice, had I had less regard to the doeing my duty. It is plaine I have quitted my owne intrest for the publicke good, for before I had recieved your Lordshipp's last instructions about my house-rent, I sent that message to the Assembly to lett my sallary alone and pay other people, and never demanded of the people of St. Kitts the 100,000lb. of sugar due to me on the same score. I shall with impatience wayte your Lordshipps' commands, *etc.* P.S. Col. Jones is my inveterate enemy, and did your Lordshipps' but see him, I dare say you would not thinke him fitt to command a foot Company. Mr. Harley is his relation and got him this post. I don't thinke either he, or the Lt. Governour of Nevis ought to comand in my absence, any more then a man ought to be foreman of a jury upon the life of a man whose estate he is to enjoy, provided he be brought in guilty. *Signed,* Daniel Parke. *Endorsed,* Recd. Sept. 10, Read Nov. 17, 1709. 4 *pp.* *Enclosed,*

597. i. Governor Parke's Reply to the 22 Articles of Complaint. (1). I alwayes look'd upon the people in this part of the world to have the sharpest and most penetrating witt of any I ever mett with; and therefore I must have been guilty of the greatest folly and weaknesse, if I could thinke to impose upon them after so gross a manner, *etc.* (2). It is very true I did all I could to have justice done Mr. Chester for murdering a harmless, honest Gentleman, but I had as bad success in this as I had in Mr. Pogson's case. I had no difference with Mr. Chester, nor did I threaten the Justices, but I told Col. Gamble it was remarkable he should act now as Justice, that never would before. I confess I told the Councill that I never knew baile taken in England for willfull murder, and that I thought it very extraordinary that when Mr. Chester was by a mittimus signed by themselves sent to prison, the Marshall neither sent him to prison nor confined him to any house. The Coroner could not sitt upon the body that night, but sent an order to the Constables to summons a jury against the next morning which they did by taking the next they mett with, by which means severall strangers were returned of the jury, as masters of vessells, etc. Mr. Chester and his friends were so allarmed at this jury, that immediately messengers were sent into the country for to get his Freinds to towne. His Friends Dr. Mackinnen and Mr. Morgan went out of towne to meete the Coroner and desired him to discharge the jury, telling him the deceased being a gentleman, he ought to have a jury of gentlemen; and the Coronor, who did not mistrust the juggle, discharg'd that jury, and presently there apeared a number of Mr. Chester's friends to be sworne, and one Mr. William Glanville was made Foreman, who himself, not long before I came to the Goverment, had had a jury of inquest upon his servant-maid *etc. see supra.* One Mrs. Wright, landlady to the deceased came and inform'd me all this as I was going to Church, and all that I did was to order the body to be brought into the

open street (after the jury had viewed it) that every one might see ye wound, which plainly apeared behind his eare, but this, and the evidence, was of no weight with the jury, *etc.* All my brow-beating of evidence was, I desir'd the Coronor to aske this fellow and his wife some questions, which they answered soe as a London jury would have had little regard to their evidence, *etc.*

I must confess I have a very extraordinary quiet and innocent people to governe, for tho' it be the last Island settled, yet in three yeares I have been here there has noe one inhabitant [*been*] punished, neither hanged, whipped, pilloried, or so much as putt in the stocks; the reason is this. I have of late been served with Deputy Marshalls, that have been inhabittants, and have such engagements with the people they durst not doe their duty, and if I order the J.P.'s or Constables to doe what in other places is thought their duty, they looke me in the face and tell me it is not their duty, but can assure them had I an absolute power, would a beene arbitrary, the stocks, whipping-post, ducking stoole and gallows, too would have been severall times putt into use; the Deputy Marshall that gave Mr. Chester his liberty was very much in his debt, and if he had not been so, I have no doubt but he would have found meanes to have made it worth his while to have got such a jury as he desired; here are abundance of honest Gentlemen that would be very glad to assist me to have offences of all kinds punished (knowing it is for the good of the Island) but as yet myselfe and they have not been able to effect it, but in a little time I hope to doe itt, if I have not a Marshall of their owne choosing putt upon me, and have that protection I ought to have at home whilst I doe my duty here. (3). The severall persons they speake of in general termes is onely the one that is mention'd, (vizt.) Col. Codrington, whose person I suppose he thinks equivalent to a multitude. I thinke it was my duty to ask him what pretence he had to Barbuda and by what authority he presumed to apoint a Deputy Governor, Barbuda being almost as bigg as Antigua, and at one time there was about 80 families upon it, who were drove off only to make a pasture for one man's; whereas might that Island be settled by poore people, it would raise fresh provisions not only to supply these Islands, but Barbados too. I could not doe anything in itt without the consent [? *of the Council*], otherwise I would have settled itt, and given grants to all people that would goe and live upon it, and I could have brought up 150 or 200 familyes from Anguilla, Spanish Towne and Turtola, which are at present so many Families lost in effect to the Crowne

1709.

of England, those small and barren Islands lying over St. Thomas's, that what cotton they make there, they sell it to the Danes. These ffamilyes have formerly been drove off these Islands by the rich men's ingrossing their land, and live very poorly on these barren Islands, and would be glad to come and settle on Barbuda, provided they had a good title made to the land; for they might not only make great advantages by raising horses, cattle and sheep, and all sorts of fowles, but also by cotton and Guiney corne, which would be sold at this Island, and the cotton sent for Brittaine, and now it is of noe advantage at all to the Crowne, to this Government, nor as he manages it, to himselfe. I hope your Lordshipps will lay this before the Queen, that I may have orders to grant the Island to people that would settle it; for Coll. Codrington cannot have any just right to itt. I can't think a Governour has power to grant a whole Island at once, nor could a patent be granted on that Island by and with the advice and consent of the Councill there, because there never was any Councill apointed there, nor any records kept, nor Deputy Secretary to record them, nor any Ministeriall officer to putt him in possession; nor is there any on Spanish-Towne, Turtola or Anguilla; indeed there is a Deputy Governor upon each, but they regard him not, they live like wild people without order or Government, and have neither Divine nor Lawyer amongst them, they take each others words in marriage; they thinke themselves Christians because they are descended from such, but I have got a parson to goe to them lately out of charity, to make Christians out of them; I would visitt them myselfe, but that I durst not leave these four Islands during the warr; now according to reason, I should thinke if he have a pattent (which I very much doubt) it can be of no vallue, it not being possible such a pattent should pass as is directed by the Commission or Instructions; suppose Col. Codrington should also have pretended he had a right to Nevis, Antigua and St. Christophers, and would have pretended to have made Deputy Governours for these Islands (for Barbuda is as much named in my Commission as they are) does the Law abhorr I shall demand bye what authority he pretends to hold what I have a Commission for from the Queen? (4). (5). These are the same Articles as were sent before, and answered to your Lordshipps' satisfaction. Additions answered. (6). The writts have been alwayes issued according to the ancient custome of this Island, but they made a law to alter them, and during the time that Law was in force, the writts were issued according to that Law, but that Law being rejected at home, the writts were issued as before. This appears by the records, and everybody knowes the constant custome was, that no one ever pretended to sitt as an Assemblyman, except he was Free-holder in the Division where he was chose. They cannot produce one president to the contrarye, nor was it ever offer'd at till now by Mr. Edward Perrie, and they were so well satisfied of it, that before the last election he was made a freeholder. The reasons they get a majority in the Assembly [*are*], against an election they make sham freeholders, and the Register being on their side, they can doe it and my friends not know it till too late; if the Register was my friend, my friends could and would I believe doe the same. (7). The custome is here as it is in England and all other Governments, to sweare those which are return'd members; and Capt. James Nisbett was return'd duely elected, and notwithstanding they would have had me swore Capt. Edward Perrie without hearing the cause, tho he was not return'd. *Refers to House of Commons practice.* But before they would go upon any business, without a petition or any hearing, they insisted that I should sweare Capt. Perrie *etc.* (8). Notoriously false. I was at St. Kitts several weeks before and after the last Assembly was called. (*Refers to* Minutes of Council). So that it was impossible for me to use menaces in that Election. The first starting the business of the negative voice was by the Lt. Governour and Councill. Having passed some laws, the Lt.-Governour and Councill sent to the Speaker to signe them, in order to send them to me, which he refused, tho it had alwayes been the method when the Generall was off the Island; and the reason they gave was, in case the Generall did not signe their law for privilledges, the Speaker should not signe any of the rest, when they should be return'd; this was plain by insisting upon their Speaker's giving the last sanction to lawes, which is taking from the Queen her negative voice. Nevine and some others of Col. Codrington's faction putt them upon it, for when they found I gave them no manner of handle for the least just complaint, they putt the Assembly upon insisting on such things, which if I granted, I must have betrayed my trust, or, if not, disoblige the Assembly. They concluded that I would give up the negative voice, and pass that bill for privilledges, rather than loose my sallarie for house-rent, which was what they call £1000 a yeare, and as sugar now goes is really worth £500; and when they found by a message I sent them, desiring them to raise a tax and pay off all others, and lett my sallerie alone, they then offer'd me a bribe; they sent me a message that if I would pass the Acts before me, and let their Speaker give the last sanction to them, then they would not onely pay me my sallery, but make me a handsome acknowledgement. I answered I could not give up the Queen's prerogative, *etc.* All this apears in the Minutes now before your Lordshipps, since which they have desired me to call them together. The Councill were of opinion, as well as myselfe, that it putt the Island to a great charge, and to noe purpose, for as long as they insisted on the negative voice, no Act could pass. But if they would give it me under their hands not to insist on the negative voice, I would call them together, but they refused. I often earnestly desir'd them to raise a tax to pay off the publick creditt, and that they might not thinke it was for my own ends, tho' I had my whole yeares sallerie due to me, I desired them to take no notice of that. I appeale to the Treasurer's Bookes, whether I have not been a very good husband for the publick; for I have putt the Island to very little more charge in three yeares than Col. Johnson did in one; they have raised but one tax in my time, and that to pay off the debts contracted by Col. Johnson, whose table they maintained, and to whome they gave £850 gratuity, which by a trick they found for it he tooke contrary to his Instructions for putting them to above £5000 charge to doe what they ought to be at the charge to have undone. For instance, there were severall great gunns, 24 pounders, which were to guard the principal harbour, St. Johns; these gunns he removed at a prodigious expence to the topp of Monkes Hill, where they were of no manner of use: for if Monkes Hill had been attacked, if they should have fired those gunns often, the concussion wou'd have throwne downe the wall, which for the most part is made onely of loose stones without mortar; at the same time left the harbour, and consequently the towne exposed; the bigest gun left being a 9 pounder, except 2 very bad 12 pounders, at some distance from the Fort, to defend the Roade, but they were found too short for that purpose, not being able to protect a shipp rideing in the Roade from a privateere that cutt her out. He putt them to a great expence to raise part of the inward area of the Fort (without any designe of throwing up a cavalier) by which meanes everyone that stood there would be exposed to the very knees to the fire of an enemy, *etc.* He built a great number of wooden houses contiguous, by which meanes one bomb or carcass would have fired the whole Fort, and severall little square houses on the walls, because it looked well at sea, and a plattforme with 6 small six pounders on it to defend Falmouth Harbour, tho' a mile from it. I asked Col. Johnson how he could be guilty of such strange blunders; he told me there was in the Assembly a very strong faction for Monk's Hill, and that the taking of Nevis and St. Kitts having putt them into a very great streight, they were for making Monkes Hill very strong; I told him he had not at all added to the strength, but quite contrary; he said he knew that well enough, but they themselves would be the Ingenieres, and he was only to governe them till I came, and was willing to get what he could from them. and if he had not humoured them, he should have got nothing. I find he was the wiser man, tho' I cannot much commend his honesty; at the same time they tooke up a great quantity of provisions and sent it to Monkes Hill some time after this freight was over; I came, and then all this foolish extravagancy was to be paid for, and like very honest people, they voted to pay the publick debts in sugar at 20*s*. per cent., the private people tooke the same advantage and paid their debts in the same manner, yet any man might buy sugar at 12/6 per cent. and at ten; so that it was not better nor worse than compounding the debts of the Island for 12/6 in the pound. I opposed this all I could, and to be even with me they never would give me an order for my sallerie till all the shipps were gone, and that there was nothing in the Treasurer's hands; so that to this very day I have not my first yeares sallerie paid me; there was one Capt. Mutton that putt in, being bound for Jamaica, he was laden with provisions, they bought his provisions and obliged themselves to pay him money sterling in England, but have not paid him. His owners have putt him in prison for selling his cargo contrary to his orders; and this was long before my time, so that it is no new thing among them, severall instances of the like nature, as the pressing of sloopes belonging to Roade Island and New England, for the hire of which they have never paid. It is no wonder the same men are my enemies for doing my duty *etc.* The Assembly say they were well disposed to raise a public leavy, if I would allow them their privileges, tho' in a message to them I offer'd them all the privileges of the House of Commons. *etc.* (9). There is not a man in this Island except Codrington's faction but will reade this Article with detestation to thinke of their base ingratitude and villany, *etc.* I tooke more paines to putt this Island in a posture of defence than any of my predecessors ever did. At my first coming I order'd a general muster of all the forces, but the Councill and officers disswaded me from it for fear least some Irish Papists or other amongst us might give the enemy an exact account of our strength; I then viewed the several Regiments; I did the same in all the other Islands. Their musters ought by law to be once a month, and whenever I was on the Island, if I had notice and was able to goe, I hardly ever missed seeing each Regiment exercised, and alter'd their dayes for that purpose,

1709.

and tooke some paines to teach them their wheelings, which Col. Codrington never taught them, *etc.etc.* I never turn'd out but one officer, and that was a Captain for being a notorious coward, and everyone succeeds according to his Commission. Col. Blackman and his brother Col. Williams both layd downe their Commissions, but I courted Col. Williams to keep his Commission more than it was decent for me to doe. The reason Col. Blackman lay'd downe his Commission was this; the Quakers being excused from bearing armes are made orderly men to summons the troopes on extraordinary occasions, and by law the Col. has power to send those that does not appeare, when there is an alarme, to one of the fortes, there to be kept prissoners, untill he or the Generall himselfe discharges them; accordingly Col. Blackman on such an occasion sent three of the Quakers prissoners to the Fort at Saint Johns, their friends came to me to get them discharged, I sent them to Col. Blackman from time to time for 7 or 8 dayes together, and thought it very extraordinary that he should have no mercy on three Quakers for not doing their duty, when he excused 5 or 6 at a time on Nevine's account because they were drinking with him; therefore I sent an order under my hand to discharge them, which he took as an affront. I have endeavoured all I can to get such a law as they have in Berbados passed here, for regulating the Militia, by putting larger fines; sometimes the Assembly has answer'd my message by saying it would be too great a hardshipp on the subject, but to my last message they answer'd, they humbly desir'd me to divide the Horse into two bodyes, for that it was too great a fatigue for some that lived to windward when they met at St. Johns to come to muster. This Island is very small, and I don't thinke there are six men to ride 8 miles to come to muster, let it be where it will. Col. Codrington called this body of horse, tho' under 100 men, the Regiment of Carbineires, commanded by a Collonell, two Lt. Cols., two majors, 4 captains, 4 Lts., and 4 called Brigadieres; the Regiments of Foot are in proportion; all the men both horse and foot will not make one good regiment, and yet they are divided into four. In viewing one regiment, the Lt. Col.'s company amounted but to 4. *etc.* As for the disposition made in case of attack:—Here is a Law that gives a very great power to the Generall and Councill of Officers. By the orders made since my arrivall will be found, what I am charged with for acting not onely contrary to the opinion of the Councill and Councill of Officers to be false, there never being above 2 or 3 orders ever made by myselfe and Councill of Officers, which were for a meeting of the troopes at St. John's in case of an allarum, and for hireing standing guards, being forced to draw off the Queen's troops to defend St. Kitts and Nevis *etc.* I never called the Councill of Officers but when the Assembly would no longer allow me any nigroes to carry on Monk's Hill, *etc.* As for what I am charged with in the Minutes, was onely my opinion given, but never proceeded to an order, except that of ordering all the troops to meet in a body at Saint Johns. I appeale to anyone whether or no it is better to keepe a small force together in one entire body or divide them into three, which was the standing order before I came. It was alwayes Col. Codrington's opinion, and he had infused the same into the most of the officers, that it was better to attack the enemy into their boates before they landed, and at their landing. I am of a quite contrary opinion. It was my opinion to have all the troops rendezvous at Saint John's, and wherever I found the enemy designed to land, thither to march and to keepe out of reach of the enemyes cannon-shotts from their shipps till they had landed part of their men, and then fall upon them, and then if the enemy fired, their owne men would have been in as great danger of their shott as mine. As for retreating from pass to pass, and at last by unknowne paths to retire to Monkes Hill, is a mere jest, there being no pass in the Island but a place called Crabb Hill in a remote part of the Island, where the enemy has no business to come, and Monkes Hill is to be seene almost all over the Island; the woods are like small English copps, if they can't find the paths to goe through, they may easily goe above. And if I had been obliged to defend Monkes Hill, I would rather choose to draw up my men without the walls than within, for there is a hill within half musket shott that commands it, and most part of the wall is onely loose stone, such as the Duke of Beufort makes about his trees at Badminton, that if the enemy brought up but 3 or 4 field pieces to the opposite hill, they would make the stones so fly about our eares, there would be noe standing in the ffort. When I first came, I would have had them made a fort in some other place; but finding there was a strong party that were fond of this place, and that they had built small houses there for the reception of their women and children, I told them the only thing that was to be done, was to scarpe down the hill to make it inaccessible, and if they would spare me some nigroes, I would goe and live there untill it was done. I arrived in July, and untill February following I could not perswade them to anything; and then wee heard there was a French squadron coming out, which putt 'em into a fright, and then they consented to allow me some slaves to scarpe downe Monkes Hill; accordingly

1709.

I carryed my bedd there, and was their inginiere and overseer for severall weekes, untill wee heard there was no danger for that yeare; I had gone by this time halfe round almost the hill though not halfe finished, and designed to have made a good covered way; I desired them to spare me but two per cent of their nigroes, and promised I would live upon the hill till I had finished itt, tho it was to me a very great fatigue, but they were growne such good husbands, they would not comply with my request, the danger they thought was over for that yeare, and by the next they hoped for a peace. Whilst I was scarping down the hill, Col. Lilly came from Berbados, by order of the Board of Ordnance, to view the fortifications of these Islands; he told them, as I had done, that Monkes Hill might be taken sword in hand. They were so angry, they passed a vote in the Assembly never more to goe on upon Monkes Hill. Everything went on very well, and the people were in good humour untill the hurrycane the last of August following, which threw downe a great part of the wall, and all the houses but one on Monks Hill. I could not perswade them to let me have any nigroes to goe on with until the end of November uppon hearing of M. Ducass's coming, I then easily perswaded them to let me have some nigroes to work there and also to make a line about the towne. *Refers to Minutes of Council.* I am charged with doing this of my owne head, whereas they made a law for it. Nor did I in my life nor ever will putt them to one peny charge without a Law to justifye me, and all I gott or proposed to gett, was only a great deale of fatigue, riding 20 miles a day for 3 weekes *etc.* My reason for desiring to make a line about the towne was, all the houses for the women on Monkes Hill were blown down, *etc. etc.* The men I had, with the nigroes I could have armed, with the cannon I should have planted on the angles would have defended my line against any force can well be brought here. I had not above 3 per cent of their nigroes allowed me for the towne, and yet in 3 weekes I had brought my line quite round, and if they would have allowed me tenn (which I earnestly desired), I had finished them and made them as good as the lines in Flanders, which bid defyance to the Confederate armies for three campaignes, and at last were entered by surprize. They allowed Col. Johnson what number of nigroes he pleased to do what had better been left undone, and found his table and £50 the weeke for his trouble for 17 weekes. He put them to very neare as great expence in the little time he was with them as I have done in three yeares, tho' I heare it is said in London I had a good table kept for me all the time, yet I never had anything

1709.

allowed me, except a mutton and a few turkies the Treasurer sent me on the hill, and a pipe of wine, which I never meddled with, but I heare was sold after I came away. They make no scruple also to report that the merchants and shoppkeepers bribed me, which was the reason I was so zealous for defending the towne; when I was laying out the lines, an old Gentlewoman indeed used to send me sometimes a tankerd of wine and water to drink; and one Mr. Proctor, a merchant, made me a present of four sacks of oats for my horses, there being not any at that time to be bought; this is all the bribes or reward I ever had. As to the standing guards, they would be of no use, if the enemy were landed, they being only to prevent privateers from taking off nigroes. As to moving the great gunns, the Assembly consented, and some of them that have signed this Article, were very zealous to have it done. There are severall guns up and downe the Island more to please some leading man that lives neare the place than of any real use, any further than to give some lazie Gentleman a pretence to get a Commission to command them, by which meanes he is excused all duty in the Militia; and these are called platforms, tho not one stone lay'd one on another, and a gun or two buried in the earth; when I came to examin into it, I found there were hardly any fitt to bring away, except two from Willoughby Bay and 6 small ones on Monkes Hill. They were useless for defending the harbour *etc.* The guns are still there, for before I could bring them to St. Johns, Ducass sayl'd to Leeward, they no sooner had an account of his sayling, but all the nigroes were according to custome taken from the workes; I desir'd the Assembly to let me have one p.c. of their nigroes to finish the lines and the scarping Monkes-Hill, but I could not obtaine it, nor to make good the labour that was due by the law they had made. It was once thought my zeale for the publick workes was an agrievance, but, to make an article, I am accused of neglecting them. The truth is Col. Codrington and his creatures were not willing I should have the honour of finishing any publick worke, and opposed everything that was for the publick good, because he himself had neglected the publick workes, being of too lazie a temper, neither did he understand the Engineer's business. To conclude, they basely and villainously insinuate as if by making the lines at Saint Johns, tho' done by a law, and ordering all the troops to meete there, was with a design to deliver up the Island to the enemy; and yet Nivine, that drew those articles *etc.*, for ought anyone here knowes may be a Papist, for I never could learne that he was ever at Church *etc.* I appeale to the Earle of Manchester who was ambassador in France what my behavior was to the Pretendor when I was in France, whether I did not disowne him to his face. My zeale for my country has sufficiently appeared this war. *Refers to* his 3 campaigns under the Duke of Marlborough, in which time I was in two battles, and was at the taking of 14 strong townes and forts, whereof Loudan was one, and had the honour of being sent to the Queene by the Duke with the newes of the glorious victory of Blenheim, for which her Majesty gave me her picture and a thousand pounds, and told me she would take care of me, and sent me back to the Duke with another express; I joyn'd the army at Philippsburgh, and that long and glorious campaigne being ended I had the honour of waiting on the Duke to the Courts of Berlin and Hanover, where I received severall markes of those Princes' favour; I had also at my coming to the Hague a gold chaine and meadall given me by the States worth 1500 florrins. *etc.* Notwithstanding I am charged with an unsoldier-like behavior, yet not one of those that have signed the articles are competent judges. Yet if the enemy had appeared, I should have acted as the majority of a Councill of War advised, for I have seen too much of the world to take that wholly on myselfe for which, if I had succeeded, I should have been thought a rash fool, and if I had miscarry'd, I should have forfeited my life.

Why I have such difficulty in getting them to spare nigroes for any workes [*is, that*] everyone is desirous to have a ffort neare his own plantation, that he may the easier remove his effects there upon alarum; when wee expected Ducass, I could not perswade them to let me have a nigro for Monkes Hill or the towne except I would consent that a campe should be lay'd out on a hill called Waldron's, tho' I told them it was impracticable by reason the hill was all in woods, *etc.* I was obliged to let them throw away about £1000 upon what could be no use, all because 3 or 4 of the Assembly lived neare that hill. Another party were for a hill called Horne's Hill, where might be made a good Fort, but they were outvoted, the Towne party were the weakest, there being a kind of a warr between the shop-keepers in towne and the planters, the tradesmen complaine the Planters pay them bad sugar, and made them take it at 20/*s*. the hundred for their debts, when it was sold for 12/6 p.c. and for 10/. ; the planters complaine they sell their goods at excessive rates; both which complaints are too true. I am of opinion if an Enginiere were to make choice of a place, he would choose it where Col. Long's house and worke stands, and were this to be putt to the vote in the Assembly, not two men would vote for that place, for none of them lives neare it but Dr. Mackinnen, who has one maxim never to give his consent to what a Governour proposes. I sent them from Nevis 14 great gunns, and would have had them made a small plattforme on Creple Gate Point, which is a propper place to secure the Roade of Saint Johns *etc.* I disobliged Nevis by sending up these gunns, tho' they still have more gunns than men to traverse, *etc.* They let these gunns lye six weekes on board untill I came up, and they were asked £150 to land them. I got the soldiers and some saylors, and by giving them a little drinke and fatigueing myselfe two dayes, I landed them at the propper place, and did not putt the country to one peney charge; the Assembly indeed thanked me for what I had done, but they would have pleased much more to have built a plattforme for them; they promised me from time to time to doe it, but never did, though it might have been done for 4 or £500. (10). My holding Courts of Chancery is looked upon with a great deale of horror by Mr. Nevine and all those that are in danger of just and legal decrees that will make them restore the right owners what they have kept in their hands many yeares, and which they could not be made to doe by the laws of this Island; by holding this Court I broake all Mr. Nevine's measures, for he had such an ascendant over Chiefe Justice Wattkins, that whoever retained him was almost sure to carry his cause, and he made his markett accordingly, for 50 pistolles was but a common ffee, if the cause was of any consequence; and severall that had just cause of suite, if they found Nevine was retained against them, they gave over all thoughts of it; and everybody that had bad titles, or had any apprehensions of being sued for great sums tooke care to secure Nevine, who never failed of having a large retaining fee. I have often told him that I never would be governed by any law or president that he should avouch; for that I have often knowne him impudently to averr that to be Law that I knew myselfe to be otherwise. As for Injunctions, I never read any, and the Lawyers tells me my Lord Chancellor never does; when I see the Secretary's name to it, that it has past the Office, I signe it in course; and if he has made any gennerall injunctions, let him suffer for it, or on his oath declare if ever he had any such direction from me, either to pass such or any before a bill was filed; but all this was from one injunction done by his Clerke, but had no ill consequence, for I had enter'd imediately that it was his mistake, and intended only for the action depending *etc.* And whereas I am charged with making arbitrary and unjust decrees, I never made but one since my arrivall, but it is not to be imagined what good that one decree did, for it was against the Chief Justice and he and I were then very good friends, and this decree was the occasion of our difference, for when people saw, when I satt in Chancery, I neither vallued Chiefe Justice nor friend, those that were afraid of just decrees thought it best to compound with their adversaries in time. The decree referred to was in favour of Andrew Martin who had been sent from England to recover a debt. Justice Wattkins, acting as executor of the debtor, had kept Martin out of his money for two years. I was so careful in this matter of decrees that in another case in which Martin was concerned in behalf of one Jordan, though I believed he was right, I made no decree, it not being proved so as the law requires. This Martin is to be heard of at the Bull-head in New Gate. When any case has appear'd intricate and the Councill were doubtfull, I have sent it home, to have the opinion of two able Chancery men upon it, as in the case of Giles Wattkins, brother of the Judge. Col. Thomas Morriss brought his action at common law for some nigroes before Judge Wattkins, who gave possitive charge to the jury to find for his brother, which they did. Col. Morriss after this preferrs a Bill in Chancery against Wattkins for the same nigroes. Wattkins's Councill demurrs, declareing the cause did not lye before me in Chancery, it having been try'd by a jury at Common Law. Here I must owne, I was at a stand, for I am noe lawyer. The Lt.-Governour, who is the only Gentleman amongst us that understands anything of the Law, was not possitive, and the Councill could not advise me; at last I perswaded both parties to state the case and send it home for the opinion of two able Chancery men. I told both parties I should be governed by the opinion of the Chancellors at home. For my arbitrary proceedings, though I am sole Judge, yet I never sat but I had the Lieut. Governour and Councill for my assistance, I have alwayes asked their opinion and have been constantly governed by it. In the decree against Judge Wattkins wee were all unanimous. It is impossible to imagine what a clamour there was in this Island about that decree and the attachment to oblidge him to comply with it; they cry'd out I had trampled and broke in upon their constitution, and the Island would be ruined if I was not removed, and that was the first beginning of caballing, *etc.* People subscribed to get me removed in proportion to the horror they had for the Chancery; but all the Councill and those gentlemen that have unquestionable titles to their estates, nor any demands from home, commended my steddy and resolute proceedings and firmly stand by me, *etc.* I begg to informe your Lordshipps why it is so difficult for any man to come by his debt in this Island. Dec. 22, 1698, they passed an Act *for establishing Courtes,* which is confirmed at home, some part is very good, for you soone obtaine judgment, but when you have judgment, you are never the neare; for by the Act you are to give 20 dayes notice before you can levy an execution, in which time the debtor may remove his cattle and house-hold goodes, for you are not suffer'd under 18 months to levy your execution upon his nigroes; the Act setting forth what shall be lyable to be seized and what not, by the first, second and third execution, and what time there must be between the several executions and still 20 dayes notice to be given; so that the debtor knowing what you can levy every execution upon, has that time to remove it; but what is worst, if your debt be so large that you can afford to make it worth the Marshall's while to be so very diligent to levy the execution, you are no nearer your debt than before; for the Law sayes, what taken in execution shall be appraised by two planters and two merchants, and they must all meet and agree, and the penalty if they do not meet is but 40*s*., so that a man must be very ill belov'd that can't find one man that will either not meet, or not agree with the others, if he does meete. There is another very extraordinary clause, every Freeholder's person is as sacred as the Duke of Sommersett, Lord High Chancellor, or Archbishop of Canterbury; his person is not to be arrested, and every man is a Freeholder that has tenn acres of land, which in some parts of the Island may be purchased for £10, so that lett a man owe what he will, if he have but £10, he is safe enough, and let him owe never so much, he has time enough to dispose of it before his credittors face; but then they will tell you he cannot goe off the Island without giving security to pay his debts, but that is easily evaded by buying a small boate, which will carry him to one of the Dutch, French, or Danish Islands, from whence he may goe where he pleases. Your Lordshipps may see in the first Minutes of Councill sent home, how often *[I]* desired the Assembly to noe purpose to repeale this abominable Law and lett the Common Law of England be in force, or make some good one. I believe the Chancery and my zeale to repeale this Law is their greatest grievance. I am charged with bringing bonds for ⅓rd or ½ the vallue of the debt; all this is false; I never had any bonds at all brought before me. This Article is concluded, as the rest are, with a scandalous lye. Extravagance rather than avarice has always been my fault. I confesse I live worse than ever I did in my life, but take care to maintaine my dignity whenever any stranger comes upon the Island, and would live better if there was a markett or provissions were to be had, tho' at any rate, and yet as bad as I live, I have 16 servants about me, and spend my full sallerie, which will not goe farr, considering fresh beefe is at 9d., and all other meat at 12d. per lb., and everything else in proportion. I brought over with me a good French cook, and everything necessarie for living like a Generall, but the fellow in a little time desir'd me to discharg him and send him home, for feare, if he stay'd much longer, he should forgett his trade, so that I sent him and severall others back, paying for their passages and wages to their arrivall in England, and three months more, when I might have made a great advantage by selling them, and have found presidents for it. I appeale to the Minutes of Councill, what an avaricious temper I was of when I quitted £1000 a year and £1000 gratuity rather than pass a law which would have given away the Queen's prerogative, and putt in the power of the Assembly to tyrannize over the people. Let Lt. Sherard (who is now in London) upon oath declare, what a large offer he was desir'd to make me from a gentleman of Montseratt, if I would suffer the Danish sloops to come and goe unmolested, and what answer I made him. The King of Dominico's sons came downe to me some time ago, to complaine that a Jamaica privateer had landed there and killed some of their men, and ravished their women; I promised to doe him justice if ever that privateer came into my Government, and to putt him in a good humor, I gave him a paire of pistolls garnished with silver, and cloathed him and treated him and sent with him a caske of rum and another of sugar; if I had not done this they would have taken their oportunity to have been revenged, having formerly landed on this Island and cutt off some of the inhabitants; the Island ought to have been at this charge, not I. The *Weymouth* coming to our assistance, at my request, after we had lost our guardshipp, the *Adventure*, putt me to upwards of £200 charge, this country money; had they not been of an avaricious temper, they would have made Capt. Legg a present of 500 pistolles for the service he did us; but insted of that they sent him, with an ostentatious, rediculous letter, one paragraph of which was a lye, with a reflection on Governor Crow, signed by almost all these that signed these articles, I say their present, thus introduced was one small bullock and 6 indifferent sheepe. I undergo some fatigue in always holding a Chancery Court when anybody, poore or rich, has any business; and the reason there has beene no more decrees is, I perswade them to agree amongst themselfes; and whereas in some other Governments the Chancery Court is a Revenue to the Governour, for Governour Crowe's Secretary gives him £500 the yeare for it; I have no manner of advantage whatsoever by all I doe in Chancery; I grant injunctions, subpœnas, *etc.*, and make decrees without either fee or reward. (11). I never threatened to displace, or have I ever turn'd out a Judg, or so much as a J.P., except Coll. Hodges of Montserratt, which I did at the request of the principal inhabitants; as for Judge Wattkins, tho I had several very great complaints against him, *as supra,* I never threaten'd to remove him; I sent for him when I was setting in Councill and told him that I hoped he wou'd take care to give no occasion for any more such complaints, and checked those who made frivolous complaints, and one Mr. Mallett a lawyer, who drew up a complaint against him, Judge Wattkins having committed him for his undecent behaviour to him in Court. As to the mandamus, there never was but one ordered, and that never issued. I am no lawyer, and cannot tell if it was or was not agreeable to the Common Law of England, for the lawyers on one side averred it was, and those on the other side, it was not, *etc.* The Chiefe Justice refusing what was agreed to by all the other Judges on the Bench, complaint being made to me, I called the Councill and they unanimously gave their opinion he ought to signe the process, and if he refused it, then to issue out a mandamus, whereupon he immediately sign'd the process. The Judges that complained against Wattkins have signed this article. I beg to informe you the true intrigue of Wattkins laying downe his Commission, for I did not designe to remove him, for I knew it was what they desired; nor did it at that time signify anything to remove him, for he satt till the Courts were over, and then there was no occasion for a Chiefe Justice for six months; therefore it was contrived for him to lay downe his Commission to give some colour for this base and false article; and they made a great jest of it, and offer'd wagers, that the Generall would be removed before Christmas and Wattkins Chiefe Justice againe before the Courts began *etc.* This Gentleman was made Chiefe Justice by Col. Johnson at the request of Col. Codrington, tho he had been guilty of the murder of Capt. Weatherly, who was run through by him for words spoke, the poor Gentleman having no sort of weapon about him, was cleared; but had he been tryed before my Lord Chiefe Justice Holt, upon the statute of stabing, a Midlesex jury would have gone neare to have hanged him. I thinke a man with such a staine upon him not fitt to beare any office; had he not laid downe, I designed to have desired leave of your Lordshipps to have removed him before the opening of the Courts. (12). Being informed that several boates had come loaden on shoare at an un-

1709.

reasonable time of night, I presently suspected they had landed prohibitted goods, and it was most likely to be brandy, from on boarde one Reade. After the Councill broke up about sunsett, I sent for Capt. Newell and order'd him to place centinells at Mr. Chester's, Mr. Rose's and some other warehouses, where I thought it most likely to bee. I then ordered the Collector and Deputy Navall Officer to search Read's shipp and the warehouses. They asked for a warrant. I order'd the Secretary to draw one, which I signed; Mr. Brett also copied the said warrant, which I also signed. Whilst this was doing, Mr. Chester came to me and told me that I had putt soldiers at his ware-house doore; that he had only got a little clarett and brandy for his owne use, and he hoped I would not order it to be seized; I told him I was obliged to give orders to seize it, but I promised him, when it was condemned, to restore it halfe back; he seemed dissatisfied, and went away and stood on the bridge, which was between the warehouse and where I stood; there came several to me and told me the towne was alarumed at my setting soldiers at the merchants' warehouses, and to satisfy the people, I order'd the soldiers away, which I have since very much repented; but before I did so, I deliver'd the warrants to the Collector and Naval Officer to execute them; then as I stood alone, Mr. Chester came back, and seeming very uneasie, I told him I was obliged to doe what I did, being sworne to the Acts of Trade; as to my part of it, he should give me what he pleased; by this time it was neare 9 at night, my usuall time of going to bed; I went home not doubting but the officers would have seized it, but the next morning enquiring about it, I was surpriz'd when they told me, they could not find it. I have been since informed there was to the vallue of £1500 in brandy; if I had seized it, I had a right to ⅓rd as Governor and ⅓rd as seizing of it; what reason had I to quit £1000 for £150 to an enemy; I have been informed they saved it by taking up the ffloore and hoisting of it up; others told me, while they were searching one place, it being in the night, was by a great number of nigroes, removed to another. As to the £150 Mr. Chester allowed me, this was on account of negroes which he had supplied to me at an excessive rate, *etc. etc.* (13). I do owne I have strictly charged the Custom-house officers to doe their duty, and not to suffer that smugling and clandestine trade that has been for many years carryed on to the Dutch, French and Danish Islands; for if great care were not taken, in a few yeares foreigne states wou'd reape the whole benefit of these Islands; for that severall large sloops were heretofore kept for no other use but to carry sugar to Curacoa, and bring back from thence nigroes, linnens and other Europian goods *etc.*; and it being a common practice here to putt sugars on board without taking out a cockett, pretending to doe it before it was shipped on board the vessell designed to transport it to Europe, by which meanes an opportunity was given to the unfaire merchants of defrauding the Queen, I gave orders the Law should be strictly putt in execution. Pursuant to these orders, several parcells of sugars *etc.* have been seized and justly condemned, and to encourage the under-officers, I gave them my part. The $4\frac{1}{2}$ p.c. has considerably encreased since I came; yet notwithstanding wee had a hurrycane, if I might be allowed the overplus, I would desire no other sallerie; and I don't doubt but to encrease this Revenue every yeare. This is a great grievance to the little smugling factor or planter, but none to the generous fair trader, *etc.* It is true I heard it whisper'd that the tobacco and butter *referred to* belonged to Mr. Barbottaine, but he had the wisdome to disowne it; for they were seized going to Martinica; for being informed that they used to loade the flaggs of truice with tobacco, provissions and cordage to fitt out French privateers, I gave strict orders to search all flaggs of truice, and Capt. Grey, of the *Hector* man of warr had the good fortune to seize one full of French goods, with invoyces in cant names, but truely Mr. Chester had 2 or £300 in goods in his owne name, amongst which were a great many pieces of lutestrings and alamodes. The Naval Officer told me the butter and tobacco were kept till they were spoiled, no owner appearing for it. Notwithstanding all the care I have taken, yet they do trade by putting into bye-places, and it is impossible to prevent it, except I had two or three armed sloops on purpose. And for the Judges I made to condemn them, when I came here, I found Col. George Gamble Judge of the Admiralty Court, who laid down his Commission; whereupon I made Mr. Herbert Pember Judge, and notwithstanding Nevin's base reflection, there is not a man in my Goverment that has a fairer and better character; he is a gentleman and was bred up to the Law, and came over with his family in as handsome and credittable a manner as anybody ever did into this Island. Lett them shew any advantage ever was taken of a faire trader; there never was any advantage taken of a master that had lost his register, *etc. Instances to the contrary.* (14). The Councill, reading this Article, could hardly believe it possible men could be guilty of so much baseness that the very same men that had addressed me to exempt the Island sloops from paying powder, should make it an article against me, I did it in response to an Address from the

Assembly, but told them it would be thought extraordinary in me, and I would superceede my order very soone, unless they passed a law to the same purpose. There was a great quantity of powder in the magazine. After the hurrycane, there was like to be a great scarcity of powder, there having been a great quantity destroy'd by that storme; and the Assembly not having made a Law, I superceeded my former order. Notwithstanding their villainous wording this article, it is not so strange a thing in these Islands for the Governour's order, made with the advice and consent of the Councill and Assembly, to have the same force of a Law; even the Lt. Governour's order; though I must confesse I thinke it not right. This was the only order of the kind I ever gave. (15). By my Instructions, myselfe and Councill are to regulate all fees; the first place I had occasion to have the fees settled was at St. Christophers, and there it was not only done by the Councill, but for the greater sanction, by the Assembly too; the Deputy Secretary collects them, if he has taken more than was so settled, I desire he may be punished, or make oath he did it by my order; they were so inconsiderable since the first yeare I gave them to the several Deputy Secretaryes of the other three Islands for their encouragement *etc.*, and I had given my ffees to the Deputy Secretary of this Island, if that would have obliged him, but he was soe linked in the interest with Nevine and Col. Codrington's party that I had no reason to give away anything to a man that I found would doe me what disservice he could; he knowes I order'd him not to take anything from poor people; and had the Councill or Assembly ever found fault with the ffees, I would have quitted them, tho' they are as low as any other ffees in ye Island, and less in proportion to the ffees in England than are all sorts of goods; my ffee for the Great Seale was settled by the Councill before my time; in 3 yeares I don't thinke I have had 6 ffees for it; I would have no ffees settled for what I do as Chancellor, *etc.*, for I would give no manner of handle for them to say my zeale for doing Justice was only to enrich myselfe; all my ffees are for registering of vessells, lett passes, for letters of administration, probates and lycences of marryage, and letters of guardianshipp; the registering vessells and lett-passes I have given now to the Deputy Naval Officer for his encouragement, and all my other ffees amount to no more than 113 pistolles. (16). *Refers to* Capt. Roach's affidavit. It was at least six weekes after I registered his brigandine, that he came and made me this noble present; I never tooke my ffee of Mr. Chester for my register, and daresay he had as many vessells registered as my lawfull ffees had come

1709.

to more than would buy 10 very good barrells of flower; and his were so much damnifyed with salt water, my nigroes could not pick any of it fitt to eate; so that this present was not only not worth one farthing but cost me above 3*s*. a barrell to send it to St. Christophers, where it was throwne out of doores *etc*. In Berbados and other places, it is the custome when any Guiney shipp arrives, for the master or owner to present the Governour with one or two, three or four, according to the number of slaves they bring, and yet never anybody thought this was a bribe. Mr. Chester once got £800 by my giving him timely intelligence: this putt him into so good a humour that the next nigro vessell he gave me two nigroes, which he sold for me for £100 this country pay; I wonder this is not also putt downe as a bribe. (17). The only one that I ever made was Mr. Pember, he is a sober gentleman of a good family and bred up to the Law in the Temple, of as faire and good a character as anybody whatever. In making J.P.s., I putt in all the men of estates in the division, friend or foe, upon the Chiefe Justice's laying downe his Commission in granting the new for the Judges, I lay'd it before the Councill (as I do everything) and they advised me to the men they thought most propper; there were to be but six, and three they advised me to were three that had signed the Articles: I had no regard to that, but putt them in, thinking it for the service of the Island, wch. shall alwayes have the greatest weight with me; I owne part of this is very true, I have made Justices of the Peace of most wretched characters, nay even the Chiefe Justice Wattkins, if that be a wretched character for a man to stab another, that has no weapon in his hand; I made also the Commissioner of the Customes, Mr. Edwd. Perrie a J.P., tho he has had a molatto bastard, and now letts one Keate Attkinson live with him, who has all her life-time been a profligate woman and is another man's wife; and yet I dare say this good man is on the wrong side of fiffty. The Justices of the Peace may doe me good, and take a great deale of trouble from me if they would act as they ought, and keep good orders; but this they won't, because it will disoblige; it is true wee have stocks and whipping post; and I got them to putt up a ducking-stool, but it is only for forme sake; but no inhabitant was ever punished since I came; I saw two women fighting in the street, and would have had them both duck't, but one of them being a house-keeper's wife, tho' a notorious jade, her person was sacred, and not to be punished, but the other being a soldier's drabb, I had her duck't. When I came over I renewed all Commissions, and was a stranger to everybody; if there were any new ones added, they were added by the Councill, for I knew them not; there has been no new Commissions for the Peace, therefore none could be left out or added; there are several of these 43, that have signed these articles, in the Commission of Peace, nor shall I displace any; and yet I think it a very scandalous character for any man to set his name to 22 articles, that he knew himselfe to be false, *etc.* (18). The Councill are of opinion that by the late Act I am obliged to grant Commissions to every one that desires them and gives securitty accordingly; and those Gentlemen, on purpose to affront me, that I should be forced to give a Commission to one Hall, a ffellow of a worse character than Ham, and has also cheated me, fitts out a privateere, and demands a commission for him, and were in hopes I would have refused them, but I gave him one, tho' myselfe, they and everybody else knew him to be a very great villaine; and after they had thus affronted me, they in a little time discharged the privateer. When any man gives me a petition for a Commission, I referr him to the Judge of the Admiralty for him to give in good security, as the Law directs; and on his certificate that he has so done, I order a Commission. This Ham did the same, and for the scandal throwne on him in this article is false, as they tell it; and it is false to say he never apeared till after my arrivall, for long before he had a Commission, he was a house-keeper in Saint Christophers, and it is almost a whole yeare since he deliver'd up his Commission, and yet he lives there still; he has no pardon from me, nor never asked for any; if anyone will let me know any crime, for which he ought to be punished, I will soon order him to be taken up; as for killing 5 or 6 Spaniards, it was to get from them, they having taken him and made him a slave, which is their custom, *etc.* (19). This is notoriously falce, and the affidavitts of Col. Rogers himselfe, Col. George Gamble and Mr. Joseph French makes appeare; what I said was, complaining of the ingratitude of the people and how I had been deceived in my expectations as to the profitts of my Government, that it was represented to me in England to be three times better than it is, and if it were not for the sake of my friends, I did not care how soone I was out of it, and that I had rather be Captaine of a Foot company in England than Gennerall of the Leeward Islands. The people here are in extreames, very good or very bad; all those that are my friends, are so because they think I have acted like an honest man; I have no places absolutely in my gifft, worth anybodeye's acceptance, and yet I have disobliged severall, because I wou'd not consent to doe some injustices, by suspending those few that are in places of profitt, and useing my interest to get them for themselves, *etc.* They would have had the Treasurer removed without assigning any cause; because two or three leading men in the Assembly had a great mind to his place; and because I would not doe it, they were angry with me, and would have had me passed a Law, which would have made the Treasurer so meane, as that he must have quitted. They settled his accompt with all imaginable niceness, and after all it was found the Island owed him £4,800; and he told them if they would pay him, he would quitt his place; I never had the least obligation to the man; but I think whilst he faithfully discharged his duty, I ought to protect him, *etc.* I appeale to all with whom I ever keepe company, if it has not constantly been my custome, after I had dranke the Queen's, the Prince and Duke's health, to drinke the prosperity of this Island, and every one knowes that the other Islands are angry for nothing elce, but that they thinke I favour this Island more than them, tho' in that they are mistaken; if one Island wants what another has to spare, I alwayes supply one from the other; and if I send the troops to Antigua, and take care to be there myselfe, when I have an account of a French squadron, it is because it is the Windward Island, and the richest and most likely to be attacked; and from thence I can assist the other Islands if attacked; but if I should be to Leeward and have the troops with me, and Antigua should be attacked, I could not assist them time enough. I have no interest in Antigua, but a very good one at St. Xtopher, and that Island I thinke much healthier, and very much cheaper to live at, *etc.* (20). I am very sure I never said what I am here charged with, I think Lt. Reyly, Mr. Reyly's son, one of the Commissioners of Excise, was with me, and can inform your Lordships. There could be no occasion for my saying so, for there was not at that time any faction against me; for Col. Codrington then pretended to be my friend, tho' I knew otherwise. There was a discourse about Sir B. Granville and the difference at Barbados, and I was excusing some of his actions that had been misrepresented. Mr. Nevine's chamber for 3 months together was a perfect office for everybody to bring in what they knew or heard. People were sent to the rest of the Islands to gather what they could against me; and they sent to Col. Ward at St. Christophers by no means to come to any agreement with me, for they would pay him more than he demanded, and accordingly he broke an agreement with me, which he had made. They had, once a weeke, a general meeting, and a feast to engage all they could, and have offer'd money to several to sweare what they desired; at that

1709.

meeting they had at Mr. Perrie's, I sent them a letter to let them to know, if they were drawing up any articles against me, if they pleased to give me a copy, I would answer them, and signe a tickett for one or more to goe off the Island to carry them home; I declared to all the Councill, and bid the Secretary tell Mr. Nevine, if he would give security, as the law directed, I would give him a tickett to goe off, but he scorn'd to be governed by the lawes, and pretended to goe off without for feare of being stopp'd; and yet there was not a child in the Island but knew of his going, and he went off publickly *etc.* My ffriends would have had me tooke him up for scandalous words spoken of me, and several times perswaded me to disperse their factious and seditious meetings; but I never would; but told them I desired my actions might be enquired into, *etc.* After he went off, I could easily have taken him up at Montseratt, *etc.* (21). I not only exacted one tenth, but also of one privateer sixteen shares, and in another fourteen, and in another one fourth part; but they were all of my owne fitting out; *etc.*, yet for all this I lost by my privateeres. I cannot but smile at their ingratitude, they have quite forgott why those privateers were fitted out. After the hurrycane, having lost both our men of warr, the Assembly desired me to take up a sloope at the publick charge to be fitted and man'd for a private man of warr, and to give a commission to one Capt. Dodson, who had been Lieut. to Capt. Doyly, which I did; with orders to cruise to keepe off the enemy's privateers from insulting us; and if she had taken a galloone, it had not been a peny advantage to me; and thinking to oblige them, I bought two sloops myselfe, and fitted them at my owne charge; the publick privateer tooke nothing at all, and all that mine tooke were some nigroes from Marygalant and Guardeloupe, and one brigandine loaden with sugar and ginger bound for France, and one small sloope of little vallue, which I made into a privateer; the prize sugar and ginger could not be sent for England, because of the great duty upon it, therefore I sent it in a sloope for Curacoa, with orders to sell it for pieces of eight, and to fitt the sloope and bring me up the rest in money; I gott Col. Panton to manage all this for me, and by his account I was brought something in debt, for the sugar and ginger did not sell for so much as was lay'd out in fitting the sloope. As soon as I had the Act *for encouraging privateers in the West Indies,* I sold off all mine, and since that Act I have given commissions to everybody that petitioned for one, and gave security to observe the instructions; and this I have done without any fee or reward; it is true, before this Act I did refuse commissions to one or two that were strangers; but not because they refused to give me 10 p.c., for I had reason to believe they would only stay here till they had got men, and then would goe to Curacoa, which would have been a loss to the Islands; I also refused to one or two that had been guilty of roguish actions, who would have willingly given me the tenths; it being a custome long before my time. I don't understand, before this Act passed, I was obliged to give commissions to every idle fellow that asked for one; though now every master of a little sloope will have a Commission; and I grant it in course; I had the 10 p.c. but of 2 or 3, and that was before the Act, and not for giving a Commission, but for finding them with great guns; for I bought more guns than I wanted for my owne vessells; and let Capt. Roach have some for his sloope commanded by Hall, and also to one Darby Dunavon and one Akers; I got by this 10 p.c. in all about £150; I had about £90 paid Lieut. Sherrard for me by Coll. Hodges of Montseratt and the rest paid me by Hall; I should have had more indeed, but Hall both cheated his owners and me too. (22). Evesdropping is an employment fitt for such as Nevine. When this Regiment came over at first, I was obliged to keepe good part of it in the towne. I gott an house for an hospitall for them, and kept a guard there, and another at the Magazine, and six more at the Little House, they have made such a noise about; the rest were either in the Fort or lodged where they could about the Towne; there was scarce a morning but I had a great many complaints of some disorder or other committed by the soldiers in the night, upon which I gave out orders that the tatou should beate every night at 8 o'clock, and if any soldier was found in a punch-house, or out of his quarters after that time, he should be sent to the guard and punished; my orders were not punctually obeyed; for still some of the inhabitants complained, which made me goe the rounds myselfe in the night, but not in disguise or to bring my person or authority into contempt, but quite contrary, *etc.* Nor did I think myselfe in any danger, tho I used to weare a bayonett, which I alwayes wore in England when I hunted, being lighter than a sword, for I had two stout soldiers of my guard that kept behind me armed; this was farr from being a secrett; for I never went but I sent severall to the guard, which were punished. Nor did I disguise myselfe, till I found the soldiers used to sett centinells to watch when I came; then I only pulled off a laced or embroider'd coate, which I had worne that day, and putt on a plaine one, or sometimes without my coate, in a waist-coate only, and made my two soldiers keepe at a greater

1709.

distance; I have sometimes tooke Capt. Newell along with me; I did once or twice disguise myselfe by borrowing of Capt. Newell a granadeer's coate and capp; but never was discover'd; but have since told of it myselfe; by this meanes I brought the towne in a little time to be as quiett as the city within the wall; and before I did this there was somebody or other wounded and crying out murder every night, firing gunns and pistolls all houres in the night; I also saved the towne from being fired. This was a great grievance to Nevine, who seldome went sober to bed; but it had this good effect, to make him and his drunken companions drink at their owne houses, and there remaine all night for feare of being sent to the cage; for I ordered the Constables to send all disorderly people there, but in this I was not obeyed. One way Nevine had to ingratiate himself was, he never would be entertained in any cause by a stranger 'gainst an inhabitant; then he would promote feasting and play, tho the pretence was for shooting and to play at quoites, in which he would engage all the young merchants, debauching them with drink *etc.*, and teaching them to game. They took it in turnes to make the feast, which seldome cost less than £50. I was at two of these feasts, and I discouraged it by telling some whose employers and fathers I knew that such feasting and gaming was not fitt for them *etc.*, by which meanes it was broke off; this was another mortification to Nevine *etc.* *Refers* to Minutes of Council and Affidavits (*see* June 20). I could a sent more, but I think two to any one poynt, if people of any reputation, and no wayes depending on me, are as good as 200. All the affidavitts I send are made by the best people, and those they have taken, by profligate wretches, necessitous bankrupts or those who have the Court of Chancery in great horrour, *etc.* I hold a Court of Chancery whenever any desire it, and take no fees. This is a great grievance to such people, considering, that by a law in the Island, confirmed at home, no man neede pay his debt, except he himselfe pleases, and whereas in all other places in the world the debtor is afraid to disoblige his credittor, it is here just the reverse; for there is nothing more common than for a debtor to tell his creditor, I will not pay you, because you have disobliged me, knowing very well he cannot recover it by law, tho' he has his bond. The repealing this Law I take to be worth the Parliament's consideration; for I have often press't it to them, it being both for the honour and good of the Island, it should be repealed, but to no purpose. *P.S.* I could have avoided all the trouble and expence these articles have and are like to give

1709.

me, if I had pleased; for Capt. Buor can informe your Lordshipps that Nevine told him, that he might tell me, that if I would make Dr. Mackinnen my friend, I should live easie, which was as much as to say, if the Generall will make Nevine his friend; I told them I would, as vacancys happen, sweare Dr. Mackinnen and Thomas etc. of the Councill, and accordingly putt them on the list sent to your Lordshipps in the ffront; but this would not doe, the Lt.-Governor, the Treasurer, and everyone that had any place of honour or profitt, must out, to make roome for that sett; and Nevine was to be chiefe Minister; had I done this, they would have left Codrington; for some of those hate him in their hearts. And were your Lordshipps to know what these men were but a few yeares ago, you'd admire at their impudence, and because I would not do all this injustice, to gratify them, I am everything that is bad; and therefore the Island must be in danger; just so I remember, because the Queene would not gratify some great men, that were willing to governe, they presently cry'd out, the Church was in danger, *etc. Signed,* Daniel Parke. *Endorsed,* Recd. Sept. 10, 1709. 51 *large closely written pp.*

597. ii.-xxvi. Duplicates of *Nos.* 589, 589. iff. [*C.O.* 152, 8. *Nos.* 43, 43. i.-xxvi.; *and* (*without enclosures*) 153, 10. *pp.* 427-432.]

June 27.
Antigua.

598. Lt. Governor Yeamans to the Council of Trade and Plantations. The restless spirits of some men, on pretentions for the publick good, has allready complained to your Lordships against Col. Parke *etc.*, are still at worke and so very busey in frameing projects, which are in such a clandestine manner and unusual secrecy endeavoured to be carryed on in their private caballs, that every man in post (tho' never so circumspect in discharge of his duty) has cause to suspect there's some evill forgeing against him; and being privately informed somewhat of this nature is perticularly aimed at against myselfe, *refers to his character with the Council as expressed in their letter,* etc. *Signed,* John Yeamans. *Endorsed,* Recd. 20th Sept., Read Nov. 17, 1709. 2 *pp.* [*C.O.* 152, 8. *No.* 44; *and* 153, 10. *pp.* 433, 434.]

June 27.
Barbados.

599. Representation by Messrs. Sharpe, Cox and Walker to Governor Crowe, Sept. 1, 1708, with their observations thereon. *Signed,* Wm. Sharpe, Alexander Walker, Saml. Beresford. *Endorsed,* Recd. June 27, Read Aug. 10, 1709. 21 *pp.* [*C.O.* 28, 12. *No.* 35.]

June 28.
(N.S.)
Fort Kykoveral
Essequebo.

600. P. Vanderheyden Rézen to the Directors of the Dutch West India Company. *Signed,* P. Vanderheyden Rézen. *Endorsed,* Read Oct. 20, (N.S.) 1709. *Dutch.* 8 *pp.* [*C.O.* 116, 20. *No.* 18.]

1709.
June 28.
Whitehall.

601. The Earl of Sunderland to the Council of Trade and Plantations. I am commanded by the Queen to referr to your consideration the enclosed petition, H.M. being desirous to have your opinion how far it is practicable and may be for H.M. service and the benefit of her subjects *etc. Signed,* Sunderland. *Endorsed,* Recd. 8th, Read 11th July, 1709. 1 *p.* *Enclosed,*

601. i. George Ritter, Burgess of Berne, to the Queen. Prays permission for 4 or 500 Swiss Protestants to settle as H.M. subjects, with their own minister, upon the S.W. branch of Pottomac River in Virginia, etc., near the settlement of François Luis Michell. *Prays* for free passage and freedom from taxes for the first 10 years. *etc. French.* $3\frac{1}{2}$ *pp.*

601. ii.-vii. Petitions of Christopher de Graffenried and Luis Michell to the Queen, for the settlement of a Colony of Switzers in Virginia. With Map *etc.* 8 *pp.* [*C.O.* 5, 1316. *Nos.* 20-27; *and (without enclosures)* 5, 1362. *p.* 394.]

June 28.
New York.

602. Col. Vetch to Mr. Secretary Boyle. I could not so far neglect my duty and the many obligations I ly under to you as not to tender the most grateful acknowledgment of the same to you, by those few lines you will see by the Journall of my transactions since I landed in America, transmitted herewith to my Lord Sunderland, that I have at least made good all if not more then I proposed to your Lordship and the Ministry, though not without a vast fatigue and a great expence, which I doubt not your Lordship and the rest of the Ministry will be pleased to consider off, which have wrote the Duke of Queensberry, my Lord Sunderland, my Lord Treasurer, and my Lord Sumers, and doubt not of your justice and favour with regard to the same. I doubt not but your Lordship remembers that after your Lordship had agreed to the putting my scheam in practice for reducing Canada and Newfoundland, that I gave in a memorial to the Cabinet Councel, praying that after the success of the affair had made the truth of my proposals, and the advantages of the same appear, that I might be left Commander in Chief of Canada untill the Government should be regularly modelled, wch. my Lord Sunderland was pleased to give me some assurances of, concerning which I wrote both to my Lord Treasurer and his Lordship from Portsmouth that the General of the expedition might have a perticular instruction about the same, there appearing now nothing (humanly speaking) which can disappoint this noble designe, the success of which (I am almost morally sure) will be attended with more advantageous consequences to Great Britain's Empire then the many millions have been expended in the European wars (save the too late arival of the Fleet from Europe) for which we impatiently wait, I have therefore in case it should have been forgot, put the above-named Lords of the Ministry in mind of what they gave me reason to expect, and that in case it should have hitherto been neglected, they will please by the first express directly to Quebeck to send me such a Commission and power; have likewise proposed to my Lords Queensberry and Sunderland the forming a regiment out of the volentiers of the Country troops, who go upon this expedition, whose knowledge in the use of birch canoes and snow-shoes makes them more serviceable then our European troops by much, and will in a short time discipline the others in those exercises. This regiment to be left in garison at Quibeck under my command as Collonell, and under me by such other officers according to their ranks as have most signalised themselves in the present expedition. I have likewise proposed to their Lordships the absolute necessity of allowing us a brigantine and sloop to attend that place after reduced, as well to cruise off the mouth of that great River, in order to give us timely notice of the appearance of any Fleet to attack us, that so we may have time to get the troops downe to Quibeck from Montreal and Trois Rivers, or if need be to send them express to Old or New England, to acquaint them of our circumstances, that so they may send us the necessarie supplys, to the obtaining in all which, I humbly begg your Lordships favour and assistance, which I doubt not after your perusal of the papers directed to my Lord Sunderland, and the Duke of Dover, your Lordship will be convinced are absolutely necessarie for the good of the service *etc.* *Signed,* Sam. Vetch. *Endorsed,* Recd. June 19, 1709 [? 1710]. $1\frac{1}{2}$ *pp.* [*C.O.* 5, 1091. *No.* 16.]

June 28. **603**. Col. Vetch to the Earl of Sunderland. *To same effect as preceding.* *Signed,* Sam. Vetch. *Endorsed,* Recd. Aug. 20. 2 *pp.* [*C.O.* 5, 9. *No.* 23.]

June 28. N. York. **604**. Col. Nicholson and Col. Vetch to [? *the Earl of Sunderland.*] This being the first oppertunitie which hath offered since our departure from Portsmouth Mar. 11, wee could not but judge it our duety to give your Lordp. a short abstract of a Journall of our proceeding. *Describe* their departure in the *Dragon,* being obliged to leave behind some officers who had failed to come on board. Wee made the best of our way out of the Channell, the wind came cross about seaven at night, so that for five weekes afterwards wee had not one days faire wind, our busking so long to windward in such stormy weather had pretty much chattered our ship, as well as rendered our water a little scarce, which upon the Captain's application (*copy enclosed*) was the cause of our going to Boston. Accordingly wee landed at Boston upon April 28th about 6 in the evening, and as soon as wee had waited upon the Governour, and delivered H.M. letter to him, wee sent away an express that same night with the letters from H.M. to the Governours of Road Island, Connecticote, New Yorke, Jersies and Pensylvania, covered with a particular letter to each of them containing the substance of H.M. Instructions, and what was proper for them to be doing towards advancing the Expedition before wee arrived

1709.

in theire Governments, *etc.* Next morning at Boston the Governour and Councill mett, to whom wee communicated H.M. Instructions, which were received with all the duetifull obedience becoming good subjects, and all the marks of joy and thankfulness which became the subjects of so great favours, *etc.* That same day wee sent to find out a fitt person and a vessell to send to bring us an account of the state of Newfoundland, and accordingly found Capt. Pickering who perfectly well knew all that countrey, and was then master of a fine bergentine, which was ready to sayle for that place, when wee arrived and brought the news of St. Johns being taken by the French. Him wee dispatched as a flagg of truice to bring off the English prisoners in case any Frenchmen had mett him, and a small quantitie of provisions, which was to be pretended was to maintain the sd. prisoners on their voyage home; but with all gave him private orders (*coppie enclosed*). *May 2nd* arrived from Road Island Coll. Wanton, one of the principall men of that place, he came in place of the Governour for whom we had wrote; but the yearely election of a Governour happening to be that weeke, the Governour wrote us the reasons why he could not come, not being sure his power would continue; but sent Col. Wanton to recieve H.M. further orders from us, and to assure us of a very ready compliance with the same. *etc.* Wee gave him a coppie of what part of H.M. Instructions related to that Collonie, and a letter to the Governour with directions what necessary preparations to make before wee should come there, which would be in a few days; and so dispatched him againe to Road Island; he being the leading man of the Councill of that Goverment, having setled with him their Quota of men, which was to be 200, for whom wee acquainted the Governour, who must gett their Assembly (which was then sitting) to lay on a subsidy for maintaining and paying the sd. 200 men for foure months at least, for providing transport, pilots, surgeons, and all other necessaries excepting arms and amunition. *May 3rd.* The Governour and Councill and wee began to enter upon the particular preparations to be made both for raising the troops and providing everything necessary for them, which wee first digested into the following heads, and then tooke the most expeditious methods could be thought of to put them in execution. First wee laid an embargo upon all shipping except coasters, as well to prevent the Frenches having intelligence, as to hinder the exportation of provisions untill such time as enough was secured for the present expedition, the which embargo wee caused likeways to be laid forthwith in all the Goverments concerned in the expedition. Finding it impossible to keepe the enterprize secret in the severall Goverments, wee caused scouts to be placed all along the fronteers to prevent either Indians or Christians carrying any intelligence by land to the enemy. Secondly, wee began to modell the men who were to be raised by those Goverments, who were to act by sea in conjunction with H.M. troops who were to come from Brittain; the which troops wee formed into three regiments as followeth; the New England men were resolved to make 1000 effective men besides officers to 2 regiments, one of which to be commanded by Sir Charles Hobbie as Coll., the other by Col. William Taylor, one of the present Colls. of their Militia. The third regiment to be formed of the Road Island men and New Hampshire men to be commanded by Coll. Wanton, the which wee hope will make about 400 good men, to each of those regiments wee assigned one of the officers, a second which wee judged fittest for the same to be second major to teach them the exercise of their arms, thirdly wee directed them to provide surgeons, chaplains, pilots. *etc.* Ordered all persons who had been prisoners in Canada and were able for service to be taken up thorow all the countrey to go upon the present expedition; fourthly wee contracted with builders for tenn flatt-bottom'd boats to carry 60 men each at least for landing our men, to be built conforme to H.M. Instructions, and see one of them finished, for each of which wee were to give £23, *etc.* Then wee setled a method of sending expresses from Albany to Boston, and ordered baraks or wooden houses to be built upon an island by the harbour mouth for putting ashoare any such men might be aboard the fleete was to come from England, then upon the desire of the Governour and Councill wee published a Proclamation as well to satisfie the countrie troops, they should not be left in garrison at Quibeck or Mountreall (if reduced) unless they are willing, as to acquaint them of H.M. further bountie and encouragement. The Governour and Councill signed an Address to H.M. for her care of them (the Assembly not being to sitt untill May 25). Having done all could be untill the Assembly satt, wee prepared for our departure for Road Island, having hired 11 carts to carry the stores designed for the land expedition as farr as Bristoll, being about 60 miles where they could be embarqued, wee then hired a sloope to bring them and ourselves as farr as New York, which is about 70 leagues further. Just as wee were preparing for our departure from Boston, wee received an express from New York, May 6, signed by the President of the Councill, that my Lord Lovelace dyed the 5th, this wee feared might prove a great retardment to the service, so wee resolved to make all possible dispatch thither, to give the necessarie directions for putting in execution H.M. Instructions. They likeways acquainted us that the Assembly, which was then sitting, designed to continue so, untill our arrivall, that so they might be ready to comply with H.M. orders. Att this time the Commissioners from Boston to New York returned to Boston, who had been there to solicit my Lord Lovelace with the people under his command, and the five Nations to joyn with New England against the French. Wee arrived the 13th at night at Road Island, next morning the Governour and Councill mett; and gave us an account of what steps they had taken in order to comply with H.M. commands. And indeed wee must do them that justice to acquaint your Lodsp. that they had taken care both to provide their men, transport, provisions and all other necessaries, and their Assemblie had made dew provision for payment of the same, as their Address to H.M. herewith transmitted does make appeare. Att this place wee mett with one Coll. Church, who was employed by Coll. Dudley to raise about 200 whaling Indians, who were very dexterous and nimble upon the water in their whaling boats. This Col. Church who being bred up amongst those Indians demonstrated to us the vast use those whale boats could be of in the great River of Canada, being farr nimbler then any pinace, able to carry 15 men each being about 36 foot long, yet so light that two men can easily carry one of them, those wee found would be of so great use for surprizing of places or vessels in the night, their padles making no noice as oares do, that Col. Dudley and wee agreed to cause provide 35 of them, which will carry 500 men upon any suddain and and secret design. The Goverment of New England provides 15 at their charge, and the other 20 is to be paid for by H.M., their common price being always £6 per boate this countrie monie, so that the 20 will not cost H.M. quite £100 sterling. Wee sett out from Road Island the 16 of May designing to call upon Coll. Saltonstall the Governour of Connecticote, who was upon the 12 of sd. month (which is the time of their yearly electing their Governours) elected anew for that year. Wee had upon our arrivall at Boston sent him a coppy of that part of H.M. Instructions which related to his Goverment, which he had communicated to his Councill and Assembly, whose hearty concurrence with the same, he had before signified to us by an express; and that they were getting everything in readiness according to H.M. orders. Wee called upon him at Newhaven, where he had left a letter to acquaint us that he could not leave the Assembly for some days untill they had finished everything, but follow us to New York in 2 or 3 days. Accordingly wee proceeded on our voyage, and on the 18th of May arrived at New York, the 19th the Lt. Governour Coll. Ingoldsbie summoned ye Councill att Fort Ann; where wee presented to them H.M. originall Instructions, coppies of which wee had transmitted them before. After they had been read over in Councill, and wee had acquainted them with severall things to be done not exprest in the same, and their having given us an account of Coll. Rensler and Mr. Robert Livingston, Secretarie for the Indian Affaires, having been sent to Albany to dispatch the spys according to the Instructions to my Lord Lovelace, then it was thought convenient to send for the Lower House. Wee severally made a speech to them, giving them a short acct. of the designed expedition withall shewing H.M. great care and concerne for their welfaire, in sparing such a number of troops and summe of monie for their releefe att a juncture when both men and monie were so much wanted for carrying on the great affaires of Europe *etc.*, and withall recommended to them a hearty and expeditious compliance with H.M. commands, the season of the year being so farr advanced; wee gave the Speaker H.M. Instructions to Col. Vetch to lay before the House, as also an abstract of what steps they had made in the Goverments through which wee had passed; which might be of some use to them by way

1709.

of president. Then they appoynted a Committie of the Assembly to attend a Committie of the Councill, which were joyntly ordered to waite upon us att the Councill Chamber, in order to concert the particular preparations which were to be made, *etc.* Col. Gookin, Lt. Governour of Pennsylvania, to whom wee had wrote to meete us here, wee tooke along with us to the meetings of the Committies of Councill and Assemblie, that so he might see the methods of our proceeding with them, and be able to informe his Councill and Assembly of the same, whither time would not allow us to go. Col. Saltonstall arrived in three days after us, who was likeways daylie present in all the Councills and consultations, and shewed a hearty zeale for obeying every part of H.M. commands. All the Governours of the severall Provinces concerned in the land expedition being here at New York together, wee began to fall upon modelling this land armie which was now a raising, my Lord Lovelace death having made considerable alteration in the sceam of affaires: Col. Vetch in order to lay a right foundation for the sd. modell, gave in a memoriall to the severall Governours, shewing the necessity of their joyntly appoynting a Commander in Cheefe over the sd. Armie. Upon which the severall Governours with the Councill and Assembly of this place unanimously addressed Coll. Nicholson to take the sd. command upon him. To this Coll. Nicholson shewed a great deal of aversion, aleadging the greatness of the charge and his inabilitie for it; but willingly offered to go along as volunteer to give them all the advice and assistance he could, though when he came to this place, he had no other designe, then in returning to go by sea with Coll. Vetch. However upon the pressing instances of the severall Governours, the Councill and Assembly of this place, and Coll. Vetch his declaring that it was his opinion that the Expedition could hardly go on unless he undertooke it, Coll. Schyler who was to command next to him, and upon whom the five Nations, and all this and the neighbouring Goverments have such dependence and trust declaring he would not go unless Coll. Nicholson undertooke the cheeffe command, which Col. Schyler said he knew would be very acceptable to the Indians, rather then H.M. service should be retarded, he accepted, *etc.* It was agreed upon unanimously in the next place, that Col. Peter Schyler should have the next command to Col. Nicholson *etc.*, then was setled the troops of the foure Goverments in foure batalions, *etc.* Wee could not forme them according to the scheam in H.M. Instructions, but the regular companies neither being so full as was expected, and there being but one Capt. who was able to go upon this command, wee judged it better for the service and to prevent debates upon command to modell the foure regular companies into a batalion by themselves, to be commanded by their owne proper officers, and the rest in three distinct batalians. Wee have likeways sent along with the armie foure small field pieces which they will be able to carry along with them over the Lakes, the charge of them as also of the cohorn mortars, as also the harquebuses with swivels, blunderbushes *etc.* is committed to Col. Redknap,

1709.

who was here as Engenier, who for his assistance hath along with him one of the Bombardiers Coll. Vetch brought from the Tower, and twelve matrosses which he raised at New York by vertue of an order of the Board of Ordinance to him for raising 80 matrosses for the train of the present expedition (the rest to be raised at Boston, they being to go from thence by sea along with himselfe, where the other three bombardeers he brought over from the Tower dayly exercise them in exercise of the great gunns). These things being adjusted, wee sent away from hence about May 26 a detatchment of about 400 of the regular and countrey troops of this and Connecticote, with about 200 Indians with carpenters and proper artificers to go directly to the Wood Creek, there to make a Fort to secure the forces in, and to build canoes for the use of the armie which is to follow them, where wee designe to make a strong stockadoed fort for the securitie of our provisions and magazines untill our troops have made themselves masters of Shambly on the other side of the Lake, where will be a convenient place for another store howse: wee having with the advice and consent of all the Governours concerned in this land expedition thought it absolutely for the good of H.M. service, and the present Expedition, that all the Indians who can be raised, that are fitt for service, should be encouraged to go upon this Expedition, and it being havie enough upon the severall Goverments to victuall and pay their respective Quotas, to whom they are oblidged to give foure times the pay of Europe, each man being allowed at least 18*d*. per day, besides their provisions, and generally £10 per man advance monie besides, wee have therefore judged it for the good of H.M. service to provide a small reward either of a gunn to such as want them, or as much strouds or duffalls as will make them an Indian suite, which does not exceed three yards to a man, for which Coll. Vetch hath drawn bills upon my Lord Treasurer as is desired in the Memoriall to H.M. herewith transmitted, *etc.* The arms in the Magazine of New York being extreamly out of order, having been entirely neglected for want of a proper store-keeper, and an armourer, as by report of the Committie of the Councill appeares, and there not being a sixpence in the Treasury here to pay for anything, wee were necessitate to engage to the severall gunnsmiths to pay them for mending and cleaning the sd. arms before they would medle with any of them, an acct. of which expences is charged to H.M. amongst others. Then a new Proclamation was issewed by us and the Governour[*s*] of the Countrey[*s*] concerned in the land expedition to assure their severall men either of arms or the value of them in monie to such as brought good arms. The Assembly of the Jerseys being conveened about this affaire at Perth Amboy, wee went downe to meete them, at the desire of the Lt. Governour and Gentlemen of the Councill, betwixt whom and the Assembly there hath been for some time a great variance, as your Lordps. will perceive by theire severall complaints against one another to H.M. These misunderstandings and fewds do not a little retard H.M. service, as well as ruin the countrey.

Upon our arrivall, after being received by the Lt. Governour and Councill, and communicating to them H.M. Instructions relating to their Governments, the Howse of Commons were sent for to whom wee made a speech severally as at New York, with relations to H.M. Instructions, and that their hearty and speedy complyance with the same was expected to which all the rest of the Goverments wee had been in, had shewed them a faire example, then they desired a conference with us and the Councill, in a Committie of their whole Howse, where after wee had answered any objections which were only raised by the Quakers who made a half of the house, they came at last to a resolve to raise £3000 for H.M. service for this present juncture; but would not have it named for paying or raising souldiers, that being against the pretended principles of the Quakers. And indeed, might wee be allowed humbly to offer our advices to your Lodsp. wee should think it absolutely necessary that H.M. should send over an Instruction to her severall Governours, where they are, to allow none to be of the Council or Assembly of those parts, but such as qualifie themselves by taking the oathes appoynted by the Act of Parliament, this would totally exclude them, whose very principles ought to exclude them from all Goverment, for what betwixt their pretended conscientious scruples against having any hand in warr, and the jarrs betwixt the Councill and Assembly, the bill for raising the men and monies in the Jersies is not yet agreed to, and they are like to be worse in Pensylvania, where the Assembly are mostly all Quakers, though att the same time all H.M. subjects in both these Goverments are very willing and ready to comply with H.M. commands; but the Goverment being in Pensylvania wholly in the Quakers' hands, and mostly so in the Jerseys, wee feare they will hardly be prevailed with all to raise men, if they do monie for carrying on warr, however hope wee shall have numbers enough to effectuate the matter without them, for which reason wee must raise all the Indians wee can to supply their want.

Your Lordship will percieve by the foregoing Journall, as well as by the Addresses, Minutes of Councill, Acts of Assembly, and other publick papers, that wee have spared no pains to fullfill H.M. orders, which all the Goverments everywhere gave a hearty complyance withall, so that your Lodsp. will percieve, that hitherto the state Coll. Vetch gave H.M. and your Lodsps. of the Ministry hath answered what he promised in the Scheam. And though the Quakers should not performe their part, yet wee doubt not but both by sea and land, wee shall have considerably above the number ordered in the scheam, and hope that the Christians and Indians together who go over land will make a body of 2000 men, and the troops from New England, Road Island and Newhampshire including Indians and saylors will make about 2000. So that in all humane probability nothing can occasion the designes miscarriage, except the too late comeing of the fleete. The bergentine wee sent for Newfoundland is returned to Boston about the begining of June, *etc*. Your Lodsp. may easily beleeve that travelling foure or five hundred miles by

1709.

land and sea with so manie officers along with Coll. Vetch and in so publick a character, could not be without a vast expence, for the officers' whole months pay, would not have payd for their horses' hire; could not be expected to go upon their own expences, so wee hope your Lodsp. will please to lay the state of this matter before the Queen, who wee doubt not by your Lodsp's. and my Lod. Treasurer's advice, will give him an allowance conforme to his disbursements, he having been necessitate likeways (having such a vast deale of writing and being oblidged to keepe coppies of all letters and papers of moment as well as to transmitt duplicates to your Lodsp. of the same) to hire a good clerk to whom he is oblidged to give 5*s.* per day untill the Expedition be accomplished, which is but the pay of a common labourer here, hope your Lodsp. will speak to my Lod. Treasurer to order the payment of the same amongst the other accts. And when the Expedition is over shall not faile to give your Lodsp. and the rest of the Ministry a new and impartiall acct. of the same attested by the principall people concerned in the Expedition. *Signed,* Fr. Nicholson, Sam. Vetch. *Endorsed,* Recd. Aug. 20. 8 *closely written pp.* [*C.O.* 5, 9. *No.* 25.]

June 28.
New York.

605. Col. Nicholson and Col. Vetch to the Council of Trade and Plantations. We could not but judge it our duty to acquaint your Lordships of our safe arrival here, and in short of the success hitherto of our negotiation, which your Lordships contributed so heartily your endeavours for advanceing. We have met with the wish'd for success in all the Governmts. who are concerned in the same, save those of the Jersies and Pennsilvania, the first of which hath one half of its Assembly Quakers, and the latter the whole number is almost so; whose pretended principles being against fighting, they have not as yet raised either men or mony for the expedition, and indeed, as their principles are inconsistant with Government, so their practice is to oppose all good order, and especially any directions from the Crown, as we have but too visibly seen at this time, for wch. reason we have joyned with the Gentlemen of the Councell and Assembly of Jersies, who are not Quakers in representing to H.M. the necessity of giving an Instruction to her Governors not to admitt any into the Councell or Assemblys but such as qualifies themselves as the Act of Parliamt. directs. This we doubt not your Lordships will think fitt to advise H.M. to doe when it comes before you, as likewise to advise H.M. to proper methods with relation to Pensilvania, who have wholly refused H.M. commands. And though we hope they shall not be able to obstruct this noble enterprise, the success of which we doubt not will be attended with such consequences as will sufficiently convince both your Lordships and the Ministry that nothing could have been enterprised which could have contributed so much to the honour and advantage of the Crown and subjects of Britain, than this present expedition, which the Quakers have not been wanting to their power to obstruct, *etc.* *Signed,* Fr. Nicholson,

1709.

Sam. Vetch. *Endorsed,* Recd. 20th, Read 23rd Aug., 1709. 1 *p.* [*C.O.* 5, 1049. *No.* 106; *and* 5, 1121. *pp.* 370, 371.]

June 29 Whitehall. **606.** Council of Trade and Plantations to the Earl of Sunderland. *Enclose* letter from Mr. Graves, April 4, reporting that the French and Spaniards have taken possession of the Bahama Islands. This being a matter of such consequence to the trade from hence as well as from the Northern Continent of America to Jamaica, we thought it our duty to transmit a copy to your Lordship. [*C.O.* 5, 1292. *p.* 138.]

June 29. Whitehall. **607.** Mr. Popple to Mr. Burchett. Encloses letter from Col. Jenings, March 21, relating to the great want of guardships for Virginia, etc., to be laid before the Lord High Admiral. [*C.O.* 5, 1362. *p.* 392.]

June 30. Admiralty Office. **608.** Mr. Burchett to Mr. Popple. *Reply to preceding.* Some time since the *Guarland* a forty-gunn'd ship sayl'd for Virginia, and is ordered to cruise between the Capes; and another ship for the same service is ordered to be bought at New England. *Signed,* J. Burchett. *Endorsed,* Recd. Read July 1, 1709. 1 *p.* [*C.O.* 5, 1316. *No.* 19; *and* 5, 1362. *p.* 393.]

[June 30.] **609.** Memorial of Col. John Higginson of New England. Whereas the French inhabiting Canada are endeavouring might and maine to gaine over to their religion and intrest all the Indians at Canada and places adjacent the Eastern Rebells, and those inhabiting about Missipa Ruio and on the backside of Carolina, Virginia, Pensilvania, Jersey, New Yorke and part of the Maques, it may be considered the danger those Plantations wth. the Massathuset and New Hampshire will be in when they have brought that to pass, their barbarities and makeing our people slaves to the heathen shew what wee may expect from them in time to come. For preventing whereof, and as an addition and advantage of the Crown of England, itt will be highly necessary that Canada be reduced to the Crown of England. Nova Scotia and Canada did formerly belong to the Crown, *etc.* It is a country proper for the produceing Naval Stores, there being a great quantity of mast trees, white and other oak, pine, spruce, firr *etc.*, and the land is suposed to be propper for hemp, and good hemp has been produced there by the inhabitants for their use, and a great quantity of pitch, tarr, rosen and turpentine may be produced there. It is a healthfull place, etc. and as good for fishing as any in ye world, and provisions of all sorts may be raised there for thousands of familеys, the meadows bear as good wheat as any in America, it is stored with many good harbours, where good towns and villiages may be erected, there is alsoe store of sea coales. If H.M., the Parliamt. of England, and the Gentlemen Commrs. for providing stores for the Navy were sensible of the great advantage it would be to the Crown to take and settle Nova Scotia and Canada with a Colony of suitable people, whose business should be to provide stores, it is not doubted but the Navy of England might in a little time be suplyd with considerable stores from thence on reasonable termes, and spare the vast quantities of ready money which they are now forc'd to disburse to foreigners *etc.* And it is proposed that whoever comes to settle the countrey there shall be a saveing to all or any of H.M. subjects to have a free liberty of fishing on those coasts, harbours *etc.* Port Royall is to these Northern Plantations as Dunkirke to England, a den of privateers, *etc.* Sea coal is not known to be in any part of H.M. Dominions in America, but only in Nova Scotia, and the wood is soe much consumed in New England that it is fear'd in a few years they will not be able to subsist without sea-coale for their fireing, and the French will not even in peace permitt the English to get sea-coale there, but have in such case formerly taken their vessells that went for that purpose. *Endorsed,* Recd. from Sir Stephen Evans, Recd. June 30, Read July 8, 1709. 2 *pp.* [*C.O* 5, 865. *No.* 17.]

June 30. New York. **610.** Thomas Byerley to the Council of Trade and Plantations. *Announces* and deplores death of Governor Lord Lovelace. Lt. Governor Ingoldesby is so influenced by my Lord Cornbury and his party that whatever his Lordship desires is put in execution, *etc.* *Prays* to be appointed to the Council, *etc.* *Set out,* N.Y. Col. Doc. V. *p.* 80. *q.v.* *Signed,* T. Byerley. *Endorsed,* Recd. 29th, Read 30th Aug., 1709. 2 *pp.* [*C.O.* 5, 1049. *No.* 110; *and* 5, 1121. *pp.* 395, 396.]

July—Dec. 31. **611.** Permits for 20 ships to sail without convoy in America and the West Indies. [*C.O.* 5, 210. *pp.* 155—187.]

[July 1st.] **612.** Memoranda taken from Lord Sunderland's book of Letters and Instructions concerning the West India Expedition (*v.* April 28 etc.). Men of warr to be ready by ye end of March at furthest *etc.* *Concludes* with memorandum of letter to Col. Vetch, 1st July, Exped. laid aside. 1 *p.* [*C.O.* 5, 9. *No.* 24.]

July 1. Whitehall. **613.** Council of Trade and Plantations to the Lord High Treasurer. Enclose following and pray for the payment of their own salaries, now five quarters in arrear. [*C.O.* 389, 36. *pp.* 436, 437.]

July 1. **614.** Petty Expenses of the Board of Trade, Lady day—Midsummer, 1709. *See* Journal of Council. 6½ *pp.* [*C.O.* 388, 76. *Nos.* 79-83.]

July 1. Whitehall. **615.** Council of Trade and Plantations to the Earl of Sunderland. *Enclose* Lt. Governor Bennett's letter *etc.* of Oct. 29, 1708, in confirmation of barbarities committed by the French and Spaniards in the Bahama Islands (*cf.* June 29); and of March 12, 1709, relating to their design against Carolina. [*C.O.* 5, 1292. *pp.* 139, 140.]

1709.
[July 1.] **616**. Caveat by Sir John Colleton, praying that John Colleton may not be appointed to the Council of Barbados, till his case be determined. *Endorsed*, Recd. 1st, Read 8th July, 1709. $\frac{3}{4}$ *p.* [*C.O.* 28, 12. *No.* 27.]

July 2.
New York. **617**. Thomas Cockerill to Mr. Popple. I am to excuse my self to you that I have not written to you since my arrival here. Our disord'red family and other affairs have taken up so much of my time that I have hardly thought of Old England. My Lord dyed here on May 6, haveing never had a well day in his Government, which I attribute wholly to the cold and sickness he caught a board the man of war upon the coast. One son dyed before him, and the young Lord a fortnight after, this bad news, I suppose, is already come to your hands. With this comes my Lady, who will want the assistance of your honble. Board to recommend her case to H.M. She hath been a very great loser, in other respects besides those already mentioned by this voyage. I dare promise myself you will do her all the good offices in your power, *etc.* Wee are here bigg with expectation of good success from the Canada expedition, and shall raise in this Province £10,000 towards the charg of it. I cant say that wee match the zeal and spirit of the men of New England, Rhode Island and Connecticut, but we have already sent away all our forces both regular and militia, whom Coll. Nicholson commands in cheif. Wee have some against it, but they have been out numbered. Interest, that governs all the world, tyrannises at New York. At Albany where they trade with the French at Canada, the handlers, i.e. traders, are against it, the farmers for it. In Jersey the Quakers in the Assembly voted against ye bill for raising £3000, etc. for the Canada expedition, and upon the third reading, two of ye Assembly that were not Quakers joyned with them thro somebody's instigation to render that Assembly odious, whereby the Bill was lost. But the Assembly being prorogued at the desire of the Speaker met again and have since past it. Those two men voted all along for the Bill untill the third reading. I am told the Quakers would have absented from the house if they had known of these two men's designes, but I will not altogether credit this report. It may deserve the Queen's consideration, whether Quakers shall be allowed to be chosen Assembly Men in that Province for the future. You will now send us a new Governour and consequently make some new alterations in the Councill. Coll. Depeyster (being the Country's Treasurer) will not act. There is your friend Dr. Staats, who hath the best interest in this place, and is one of the honestest men, will deserve the Queen's favour. If he be restored to his place, he will be near the top. I dare not venture to give you other names, but my friend Sir Will. Ashhurst, if you consult him, can supply you. If you any time desire an account of persons and things here, I shall very readily obey *etc.* I hope to hear of the Fleet's arrival with the forces from England, for all trade is at a stand untill this expedition is over. Coll. Vetch

is gon back this week for Boston to receive them. Do me the favour Sir to recomend me to the new Governour. *Signed,* Thom. Cockerill. *Endorsed,* Recd. 29th, Read 30th Aug., 1709. $2\frac{1}{2}$ *pp.* [*C.O.* 5, 1049. *No.* 109; *and* 5, 1121. *pp.* 392-394.]

July 2. St. James's. **618.** The Queen to Governor Crowe. We resent your disrespect in disobeying our directions Jan. 24, 170$\frac{7}{8}$, *etc.* We command you, as you shall answer ye contrary at your peril, to admit Messrs. Sharpe, Walker and Beresford to the Council, and comply with the Order of Dec. 30 last, *etc. Cf.* A.P.C. II., *pp.* 576, 577. *Countersigned,* Sunderland. *Endorsed,* Recd. 7th, Read 8th July, 1709. 2 *pp.* [*C.O.* 28, 12. *No.* 28; *and* 5, 210. *pp.* 154, 155; *and* 29, 11. *pp.* 474, 475.]

July 4. Custom-house. Bristoll. **619.** Custom House Officers at Bristol to the Council of Trade and Plantations. Enclose following. *Signed,* J. Reynardson, Jn. Elbridge. *Endorsed,* Recd. July 7th, Read Aug. 25, 1709. *Addressed.* 1 *p.* *Enclosed,*

619. i. List of ships cleared from Bristol to the fishery at Newfoundland, June 24, 1708—1709. 4, of 50 to 100 tons. *Signed as preceding.* 1 *p.* [*C.O.* 194, 4. *Nos.* 96, 96. i.]

[July 4.] **620.** Robert Tolson to the Council of Trade and Plantations. Encloses following. My Lord Morton and the Gentlemen subscribing will be ready to attend yr. Lopps. upon any reasonable notice, *etc.* *Signed,* Rt. Tolson. *Endorsed,* Recd. 4th, Read 5th July, 1709. $\frac{1}{2}$ *p.* *Enclosed,*

620. i. Earl of Morton and others to the Lords Committees of Trade. The matter of a proper method for reduceing the pyrates at Madagascar being referr'd to your Lordshipps, we haveing been requested by severall of the near relations of the said pyrates to be concerned as trustees for secureing to the said pyrates the due execution of such termes as H.M. should be pleased to grant unto them touching their lives and estates, and wch. persons assureing some of us that the said pyrates would accept H.M. most gracious pardon and returne to their allegiance with their effects, and Admirall Benbow's sonn (who was shipwraked at Madagascar, and lived amongst them four yeares) haveing assured us that the pyrates are willing to transport themselves with their effects to Great Brittaine at their owne expences, and they haveing drawn a petition to H.M. to the effect aforesaid desired our approbation thereof, soe far forth as to accept such trust onely as H.M. with the advice of her Privy Councill should think fit to repose in us. To obtaine such trust to be put in us, we did countenance the said petitioners as being willing to attend H.M. pleasure therein, as really thinking it an effectuall meanes to reduce the said pyrates and utterly to destroy their settlement at Mada-

gascar by bringing them voluntarily to Great Brittain with their effects, which we believeing could not be better effected in any other manner then as the petition of, or in the name of the said pyrates (lodged with the Secretary of State, annexed) and haveing been informed that the attempts of reduceing the said pyrates by force or otherwise have in severall late reignes proved ineffectuall, and we being induced to believe that all future attempts of that kind will likewise prove invallid, unless proper trustees be appointed to whom the pyrates may remitt their effects to be secured for and delivered to them in such proportions as may respectively belong to them, and we observeing the Address of the honble. House of Commons to H.M. for the effectuall suppressing the said pyrates and H.M. most gracious answer thereto, were incouraged to lay before H.M. the methods aforesaid as the most effectuall meanes to be used for suppressing the said pyrates without any charge to H.M. or the Governmt., which we pray you will represent to H.M. *etc.* *Nota.* After the method aforesaid the said pyrates will (it's supposed and hoped) voluntarily submitt themselves and bring home their whole effects to Great Brittaine, from wch. H.M. will receave great summes for Customes and save chargeable equipping of a Fleet otherwise necessary for the uses aforesaid, and her subjects for the future trade safe from the said pyrates. *Signed,* Morton, Cha. Egerton, and 4 others. 1 *p.*

620. ii. Petition of wives and relations of Pirates and Buckaneers of Madagascar and elsewhere in the East and West Indies to H.M. *Pray,* on behalf of said pirates and their accomplices, for a general pardon, soe that their wealth and riches may be secured to them on their return home *etc.* And that this great and good work may not become abortive as a former undertaking did, propose that some persons may be appointed by H.M. as trustees in Great Brittaine to give instructions to Commissioners to be appointed by H.M., who shall carry the said pardon, and receave their effects and secure the same for their use upon their returne hither, petitioners intending H.M. nor the publick should be at any charges therein, *etc.* *Signed,* Mary Read and 47 others (mostly "their marks"). *Copy.* 1 *p.* [*C.O.* 323, 6. *Nos.* 79-81.]

July 5.
New York.

621. Lt. Governor Ingoldesby to the Council of Trade and Plantations. I embrace this oppertunity, which is the first I have had, to inform your Lordships that my Lord Lovelace dyed May 6, whereby the Governmt. of this and H.M. neighbouring Province of New Jersey devolved upon me, whome H.M. has been pleased to appoint Lieut. Governor thereof. My Lord Lovelace left the Assembly sitting when he dyed, and it was

1709.

very lucky for the carrieing on this expedition against Canada, which I hope will be attended with the success I wish, and I have no cause to doubt it. I herewith transmitt to your Lordship several Acts of Assembly of this Province, some past by my Lord Cornbury and some by my selfe (*titles given*). There is one Act among these, which I cant but take some perticular notice of. It is *for regulating and establishing fees*, which was framed wholly by the Assembly, who seemed to be very fond of it; severall of the Councill, when it came up to them, were of opinion it required many considerable amendments, yett the part this Province is to perform in the aforesaid expedition against Canada being at that time before the Assembly for their assistance therein, those of the Councill who thought the Bill required those amendments conceived it was not proper at that time to attempt it, least it might impede those other weightyer affairs, whereupon they past it, and desired me to give my assent to it, for the same reasons. I am sencible there was reason for moderating the fees in some instances, but I think the Assembly have runn into extravigancies farr greater on the other hand, of which I am since by dayly experience convinced, for the lawyers have declined their practice in every Court, and the Officers would likewise quit their imploys, but that their duty obliges them to wait H.M. commands, and that they are in hopes they shall be releived from the hardships which they suffer from this Act. An other reason for my passing this Act is an other of the aforesaid Acts now transmitted to your Lordships, and past by my Lord Cornbury in October last, *to relieve this Colony from divers irregularitys and extortions*, which is so unintelligable that it rendred it doubtfull whether any fees could be taken till some other Act were past for settling the same. If your Lordships, upon the consideration of the aforesaid Act *for establishing Fees*, should represent it to H.M. as necessary to be rejected, I pray your Lordships consider at the same time whether it may not be proper that the other Act be likewise rejected to remove the doubts mentioned to have arisen thereon, and as to that clause giving power to the people to elect their coroners, if H.M. should think it reasonable, her signification thereof to her Governour will, I presume, be sufficient, and as to the establishing of Fees, I humbly recommend it to your Lordships' consideration and directions that offices may be capable of maintaining gentlemen of understanding and probity suitable to the nature and quality of each office, without being dependant on the humour of the Country, and that the practicers of the Law may have an encouragement to proceed as near as may be in the order and method used in England, and not Oretenus, as in some of H.M. Plantations in the West Indies, and that they may thereby have a maintainance suitable to their education and profession. The Revenue of this Province expired May 18, and I fear the Assembly will hardly be brought to give it again, I mean as they should and hitherto have done to the Queen, to be disposed of as she shall think fitt, whereby H.M. might reward her servants as they deserve, but instead of that the Assembly are now taking upon them to appropriate what they give for the suport of Governmt. I doubt, if it be permitted to go on, those Officers that are now the Queens will sone become the creatures and servants of the people; it's very well known that this Province has ever since it has been under the Crown supported the Governmt. handsomly and as they ought, without oppression to any or impoverishing the place, and they are still as able to do it as ever. It's true there has been of late years some ill managmt. with respect to the Revenue and the expences of the Governmt., whereby a considerable debt has been contracted, but if prudence and moderation be used in those things, or some directions given relating thereto, there need be no apprehensions of the like for the future, at present Officers are very precarious, some of them are like to have no sallary allowed them by the Assembly, and almost all the rest so much reduced that it's scarse worth accepting: 'twas the Assembly of New Jersey that first begann to appropriate what they gave for the support of Governmt., and I have been forc't to accept of what the Assembly would give here on these termes, rather then lett all the Officers starve. And that is only the Excise, no other mony being yet given for support of Government, and this is not yett appropriated, but provided to be disposed of by Act of Assembly, I hope it will not be drawn into precedent, but that H.M. will take such effectuall methods to have a Revenue settled on a sure foundation, that Officers may without fear discharge their duty, and intend the Queen's interest. The only standing Revenue the Queen has in this Province is the quitrents, and they are so much concealed that very little comes into the Treasury, nor is it practicable to make a rent roll whereby they may be collected yearly, other then by a Law to be made particularly for that purpose, for I am very well informed that, when the Dutch took this place from us, severall Books of records of Patents and other things were then lost; and how little an Assembly will favour such a Bill is much to be doubted from their interest. I wish your Lordships would give me your directions herein, that I might apply myselfe to bring this matter to a clearer sight then it has yett been in. I am informed that the Minister of this place is attempting to obtain from H.M. an allowance of £26 a year out of the quittrents for his house rent, as also the payment of some arrears occasioned in common with others by the anticipating and overcharging the Revenue, out of which this used to be paid, it was given in the infancy of the Church, when the congregation were not able to bear the expence, and 'twas a very pious act and has contributed very much to increase of it, which is now so flourishing that their Minester has a very handsome sallary of £160 per annum, besides his perquisites. And the Church has now in bank, as I am informed, £700 or £800. I hope H.M. will think of some other way of paying this arrear and house rent, for besides the ill example it will be to appropriate the remainder of it to particular uses, it will deprive the Govern-

1709.

ment of all manner of means to provide for severall unavoidable exigencies, this being the only money it can command on these occasions. I cannot omitt acquainting your Lordships, that, tho by my Lord Lovelace's directions, the Act of Parliament *for the ascertaining the rates of foreign coyns*, was published in this Province and in New Jersey, yett the people of either Province pay no obedience thereto. Nay, the Assemblys take upon them thus farr to make the Act of no signification that they will pass no Bill for money, but to be paid at the value it was before the said Act took place. Indeed, Mr. Cockerill, who pays the forces here, has paid them according to that Act ever since May 1st, and the Publick Officers conform to it, but nobody elce does that I hear of. I pray your Lordships' directions herein, whether I shall cause the Attorney General to preferr an(d) information or indictment against one or two persons, and trye if that will bring the people to the necessary obedience, or what other measures I shall take. The Queen, by her Instructions to the Governor, commands him to furnish her shipps of warr with men, upon application from the Captains. The Captains of the *Kingsale* and *Maidstone*, which came with my Lord Lovelace, have applied to me for men. I was willing to supply them, but yett I doubted my hands were tied up from impressing by the Act of Parliament *for the encouragement of the trade to America*; yett I was unwilling to rely altogether on my own judgment, and therefore referred it to the Chief Justice and the Attorny General for their opinion thereon, who have severally given it me (*enclosed*). The disagreement there is in those opinions obliged me to take the advice of the Councill thereon, who have given it (*enclosed*). I pray your Lordships that I may have some further directions herein, or that some other method may be taken to man the Queen's shipps. I am just now honoured with your Lordships' letter, wherein was H.M. disaprobation of the Act for ye corruption of the current coin, which I have made publick, and I shall use my utmost endeavours to have the Act of Parliament *for ascertaining the rates of forreign coyns* obey'd, nor doe I see now what pretence the people can have not to comply therewith. I have given the Attorney Generall leave to goe for England upon his request, and his representing to me the necessity of it; he can witness to your Lordships what an unwillingness Assembly's here have to give a Revenue suitable to the exigences of the Governmt., tho many years experience has convinced the considerate and best part of mankind that the Revenue, as it has hitherto been raised has been exceeding easy to the Province. One principle motive for the Attorny Generall's going is that the Assembly have not thought convenient to give him the sallary which his predecessors had, and they are going the same way to work with the rest of the officers, of which I pray your Lordships' consideration that this budding evil may be prevented from growing greater. In my last to yr. Lordships from Perth Amboy, I sent an acct. of what then occurred both in the Councill and Assembly to that time. I have only to add that our Assembly mett according to the appointment, and have passed an Act *for raising* £3000, *for the present service and expedition against Canada*, an other *for the inforcing the currency of bills of credit for* £3000, and an other *for the encouragement of volunteers.* I have only to observe to your Lordship that they passed the House of Representatives with great difficulty, all the Quakers in the House voting against the Bills, which is a further confirmation of the representation sent to H.M. from myselfe and the Councill, in which Coll. Nicholson and Coll. Vetch have joined with us. I hope your Lordships will excuse me for not sending the Acts past in New Jersey, the Secretary not having as yett sent 'em me. I shall transmitt them your Lordships per very next opertunity. *Signed,* Rich. Ingoldesby. *Endorsed,* Recd. 20th, Read 25th Aug., 1709. 4 *pp.* *Enclosed,*

621. i. Opinion of the Lord Chief Justice of New York. The prohibition as to pressing in the late Act is general, and no commission or instruction can dispense with it. June 30, 1709. *Signed,* R. Mompesson. *Endorsed as preceding.* 1 *p.*

621. ii. Opinion of the Attorney General of New York. June 21, 1709. It is proper for the Governor to grant warrants for impressing men to make up the complements of H.M.S. ships, the late Act of Parliament not being intended to tye up the hands of the Government here, *etc.* *Signed,* Jno. Rayner. *Same endorsement.* $2\frac{1}{2}$ *pp.*

621. iii. Minutes of Council of New York, July 3, 1709. The Board advised that the Governor cannot grant any warrant for impressing mariners, except deserters. *Same endorsement. Copy.* $\frac{1}{2}$ *p.*

621. iv. (a) Examination of Wagrasshse and Canawanegoe, that were sent by Col. K. v. Renselaer and Robt. Livingstone spyes to Canada. (At a meeting of the Commissioners for the Indian Affairs, Albany, June 21, 1709. Present: Col. K. v. Renselaer, Evt. Banker, J. Abeel, H. Hansen.) Say that, when they sett out from Schaennechtade, they came unto the French Praying Indian Castle of Cachnawage in Canada, the 7th day, where the Indians askt what there bussiness was, they replyd they came to fetch bevers which they had there, the next morning by order of ye Govr. of Montroyall were carryed thither, who also askt what brought them there and how all was at Albany, they reply'd that all was well and in quietness. After we left the Govr. of Canada, went according to our directions to view what quantity of great guns there was in that place, we first saw two patarrores before the Govrs. house, and 10 more and 8 great gunns near the waterside whereof two great gunns were only mounted, after yt. ye Govr. of Montroyall sent for us again, and askt when we went home, we answered in 3 days time, upon

1709.

wch. he forbid us to return thro Corlaer's Lake, for that many of his people were gone out that way to fight, and if they went that way might be kil'd, therefore desyred us to return by way of Cadarachqua River. As to the quantity of people in Montroyall, found no more then at other times, that is many officers, but few souldiers, the stockadoes round the town, we perceiv'd many decay'd, when we came by Laplarie we see some part of the Fort made new, the rest old and rotten; in Chambly Fort were two great gunns and 3 patarrares, and abt. 30 men with the souldiers there, and the inhabitants living near the same, and we also inform'd ourselves relating Quebeck, do understand that that place is very well fortifyed with a thick stone wall round it, and is enlarg'd over the Creek, at which place the Bostoners stopt when they attackt it, there is a considerable quantity of boums and three mortors. When we were at Cachnawage in order to return home, just as we were going out, came in the Govr. of Quebeck who desired a meeting with us, and all other our Indians that were there, and being convein'd, he askt us if we were going home, we answer'd yes, then sd. he, lett us first drink together, and gave every man of us a dram of brandy, and a small roll of tobacco, and sayd that he was inform'd that the hatchatt was given into the hands of the Five Nations, but that he expected the first blow from Quider, and then should know how to deal with him, for it is an easey matter (say'd he) to take Albany, and as for you children, (say'd he to us) doe what you think fitt, fight or not, it is at your pleasure. Says that the Fort at Cachnawage is also old and sett round with small stockadoes, has 3 great guns therein. We are informd that a considerable party are gone out agt. N. England, whom one of our Indians hath seen march out, in which party there is 100 Indians from Cachnawage, the same party is commanded by one Romvich, a son of Monr. Artell; they are to make a Fort on the head of New England River at a place call'd Oneyade; after that we travel'd on to Chambly in order to proceed on our journey home, we were overtaken again by a messanger from the Govr. of Canada, who desired us back again, on which we return'd back to Montroyall, and went to the Govr., who sayd he was glad we were come back, and desired us to tarry a few days to take good news along to Quider, which would be Peace, whereof he had a report, and expected letters from Quebeck every hour, where a vessel was arrived from France, and had brought that news, but he had not yet any letters relateing the same, but expected hourly, whereupon we tarryed one day, then told him we were going home, he say'd, since you will not stay, tell Quider that as soon as my letters come from Quebeck with Peace, shall immediatly send him an express, altho' I beleeve by this time he will have an account thereof by the way of N. York, so that I beleeve the expresses will meet together by the way.

(b). Examination of Matanas, one of the three that were sent to Canada by Col. K. v. Renslaer and Mr. Robt. Livingston, and return'd here this day, haveing been 8 days by the way from Chambly. Says that in his going thither he was 9 days by the way to Chambly, where he found 40 Mohags from Cachnawage and other Indians which he knew not; there he was taken up to be one of them that had kil'd of theirs in the Lake and Chambly River, and was detained there on that acct. 3 days. Says that the stockadoes round the Fort of Chambly are all rotten and propt up with cross pieces of timber to hold them up, therein is also six great gunns including patarres, all the men in't and inhabitants round it are not above 30 in number; from thence he went down to Sorrel, where he beleeves all and all is not above 40 men; then he went to an Indian Castle a litle from thence call'd Adgecantehook, where the Preist bid him welcome, there he saw 2 litle pattarares, and found provision very scarce; that Castle consists of abt. 170 men when all are at home, many of them were not yett come from beaver hunting, after 10 days stay to give no suspetion he resolved to goe to Troy River, with an intention to goe to Quebeck, but the Preist takeing him to be a spye, would not allow him to take his gunn etc. with him, but gave leave to goe to see the place only, wch. put a stop to his intended proceedings, after he came to Troy River, he found it to be a town like Schaennechtady, wh. consists abt. 40 familys, has a Fort wherein is with great guns and patarrares about the number of 30, the stockadoes rotten and decay'd, he likewise meet an Indian a frind of his come there from Quebeck, by whom he understood that the stone wall round Quebeck was compleatly finish'd, being built out over the Creek where the Bostoniers made their attack, and that there was 56 great guns planted round the inside of the citty and upwards of 20 mortors; has further understood that some Indians are gone out a-fighting towards the N.W. Passage, and so return'd home.

(c). Intelligence given by an Indian call'd Ticonnondadiha deserted from a French party gone to N. England. Says that it is now 24 days ago since that party went out from Canada, wch. he left 3 days ago at the head of the other Creek at a place call'd Oneyade, and to goe over a long carrying place before they come to the N. England River; this party consists of 180 men, 40 Christians and 140 Indians; they are design'd for Dearfeild, and intended to post themselfs near the Fort, and then send out a skulking party to draw out the English, thinking by that means to take the place. That by another Indian coms latter from Canada confirms that this party is out, and that two N. England captives deserted from thence 14 days ago. Albany, June 22, 1709. Hereupon the Comrs. for the Indian Affairs have sent Danl. Ketelhuyn expresse with a letter to Coll. Partridge to give an acct. hereof. *Same endorsement.* 4½ *pp.*

621. v. Extracts from the Journals of the Assembly of New York relating to the expedition to Canada. *Same endorsement.* 5½ *pp.* [*C.O.* 5, 1049. *Nos.* 107, 107. i.-v.; *and* 5, 1121. *pp.* 372-385.]

July 5. Whitehall. **622.** W. Popple to the Marquis of Carmarthen. I am again commanded by the Council of Trade and Plantations to acquaint your Lordship that they will be ready between tenn and eleven of the clock on Friday morning next, to hear what your Lordship may further have to offer in relation to the pirates at Madagascar. [*C.O.* 324, 9. *p.* 405.]

[July 6.] **623.** Copies of depositions of James Feild, Richard Cochran, and Jeffry Duncombs, as to soldiers being sent to seize Barry Tankard for his contemptuous behaviour to Governor Parke. Antigua, April, May, 1709. *Endorsed,* Recd. Read July 6, 1709. 8 *pp.* [*C.O.* 152, 8. *Nos.* 22-24.]

[July 6.] **624.** (a). Deposition of Samuel Walker. Thomas Gateward, J.P., informed him that he did not think there would be a sessions, because there could not be a jury got to condemn the gentlemen, *etc.* May 2, 1709. *Copy.* 1½ *pp.*

(b). Deposition of Francis Carlisle. Governor Parke said he would have no man to serve as his Provost Marshal, but such as should summons such jurors as he should direct or approve, *etc.* April 27, 1709. *Copy.* 1 *p.* *The whole endorsed,* Recd. Read July 6, 1709. [*C.O.* 152, 8. *Nos.* 25, 26.]

July 7. **625.** Deposition of Jedidiah Hutchinson late of St. Kitts. Deponent received the following Instrument from Col. Jno. Ward, Speaker of the Assembly of St. Kitts, to be delivered to Wm. Nevin, *etc.* (a). Council of St. Kitts to the Assembly. Dec. 7, 1708. We know of no grievance against the General [*Parke*] such as some malicious people of Antigua report, and desire you to inform us if you know of any. (b). Reply of the Assembly. Dec. 7, 1708. We heartily wish we could concur that H.E. has been guilty of no maleadministration. (1). The *Public grievances*: (1). His not laying before H.M. the Act for raising 100,000*lb.* of muscovado sugar per annum for the Governor's house-rent, which, considering our unhappy circumstances by the late hurricane and great debts, as well publick as private, we were in hopes would not have had the Royal assent. (2).

1709.

H.E.'s keeping the late Assembly 15 months longer than is directed by the Act for preserving the freedom of elections. (3). His taking greater fees than any General heretofore for licences of marriage, probate, *etc.* (4). The discouragement of the settler in ye late French quarter of Basseterre. (5). The Lieut. Governor's sloop being sent, Easter 1708, with a Flagg of Truce to Martineco loaded with beef, which the country was then in great want of. As to particular grievances, we give for instance the hardship done Col. Codrington, Col. Ward, James Emra, Capt. Marcum, Christopher Stodard, and Guillias McArthur being deny'd guardians. What shall we say to the case of Mr. Vanbell, Capt. Derby Donovant, Capt. Tho. Copping and their companies, with Capt. Mallary, who was struck by the General, as 'tis said, for only offering to search his sloop, Robert Jones, master, that came from Carrasau with contraband goods, as it's suppos'd. Mrs. Clark, who was marryed in the night in the General's presence, in a little thatcht hutt agt. the inclination of her guardian, Col. Daniel Smith, and carryed off this Island, by the General in H.M.S. *Hector etc., etc. Copy.* 4 *pp.* [*C.O.* 152, 8. *No.* 27.]

July 7. **626.** Deposition of Jedidiah Hutchinson. Deponent was resident in St. Kitts 1706—1709. The inhabitants of the French part made great complaints amongst themselvs of the arbitrary government of Governor Parke, who exacted a yearly rent from them, which was never demanded by any preceding General, and caused many to remove from the Island. *Corroborates* other charges against the Governor. He indecently assaulted Mrs. Du Southsay in St. Kitts. *Signed,* Jedh. Hutchinson. *Endorsed,* Recd. Read July 8, 1709. *Copy.* 4 *pp.* [*C.O.* 152, 8. *No.* 28.]

July 7. **627.** Roger Mompesson to the Council of Trade and Plantations. Petitions to be continued as Chief Justice of New York. *Signed,* Roger Mompesson. *Endorsed,* Recd. 7th, Read 27th July, 1709. 1 *large p.* [*C.O.* 5, 1049. *No.* 104.]

July 7. St. John's. **628.** Observations made in Placentia, June 1709, by Allen Southmaid and Jno. Collin. *Endorsed,* Recd. Feb. 23, 1709 (1710). 5 *pp.* [*C.O.* 194, 22. *No.* 74.]

July 8. New York. **629.** Col. Nicholson to [? *the Earl of Sunderland.*] *Announces* and explains his acceptance of the command in chief of the land expedition against Canada, *as* June 28, *q.v.* Col. Vetch went last week for Boston. *Enumerates enclosures,* including a Proclamation for [?*raising*] of voluntiers in the Jersies, Pensilvania etc., "tho' Capt. Farmer hopes to get the men, yet I am very doubtful thereof, and if they are raised it will be late before they can joyne the other forces, and I fear they will not before we have marched from the Wood Creek, if so we shall have 350 men less then were ordered," *etc.* Some of the Long Island Indians are come to me already, and I am in

1709.

hopes there will be more. By the accot. that the Indian spyes give (who are returned from Canada) your Lordship may likewise see in what condition they were in, in Canada, if the Indian account may be relyed upon. I find that one of the great difficulties I shall meet with is the transportation of the men, provitions, and amunition, and I suppose we shall meet with the like difficulty of carrying of 3 or 4 small brass guns, but I will endeavour to make good use of the cowhorne morters and granadeers, for I have (tho' with very much trouble) got arms and accouterments for 218 of them. I think very few of the forces have been in any service where great guns have been used, wch. I find we are like to meet with, yet I shall endeavour to manage affairs accordingly. We have as yet no news of the Fleet being arrived at Boston, which makes people here somewhat uneasy by reason of the sumer's being so farr advanced. But notwithstanding any of these difficulties I hope in God that the usuall success will attend H.M. arms. This day Governr. Ingoldesby and myself designes for to meet Indians at Albany, whither all the forces are gon up, and most of the arms and amunition, the last being now loading to go with us or presently after, I found it absolutly necessarie to stay here for the dispatch of the affairs, *etc.* I hope your Lordship will be pleased to excuse this unpollished letter, *etc.* P.S. This is designed by John Rayner Esq., H.M. Attorney Generall here, who tells me he is bound for Great Britain upon some affairs wch. he proposes will be for H.M. interest, *etc.* *Signed,* Fr. Nicholson. 2 *pp.* [*C.O.* 5, 9. *No.* 26.]

July 8.
Whitehall.

630. Council of Trade and Plantations to the Queen. We have considered the Articles of complaint *etc.* against Governor Park (*see* March 31). It being but just and reasonable that he should be heard in his own defence, we humbly offer that your Majesty be pleased to order that copies of the Address, Petitions and Articles be sent to him, and that he be directed by your Majesty's letters mandatary to make his particular answer to all the said articles as soon as possible; and that he be required to give free liberty to the complainants and other persons concerned to make affidavits before any judge or magistrate of what they know in those matters, and that such judge or magistrate do summon before them such person or persons as the complainants shall name; and that Col. Park do signify your Majesties pleasure herein to such judge or magistrate accordingly. We further humbly offer that the complainants be obliged to give unto Col. Park authentic copies of their affidavits and other proofs; and also that he do in like manner deliver to them copies of his answer and such depositions and other proofs as he shall think necessary for his defence within the space of one month after publication of your Majestyes said letters mandatary upon rect. thereof without delay. And further that within 20 days after having so recd. each others proofs, they do in like manner change the replys that each of them shall think fit to make, and that ye whole

1709.

be returned hither by the first conveyance to be laid before your Majesty. [*C.O.* 153, 10. *pp.* 363, 364.]

July 8.
Whitehall.

631. Same to Governor Parke. *Recommend* Mr. Jurdine to his care and assistance in the dispatch of his business *etc.* (*See* June 9.) [*C.O.* 153, 10. *p.* 365.]

July 10.
South Carolina.

632. T. Nairne to [? *the Earl of Sunderland.*] Having been imployed by the Generall Assembly of this Province in the quality of an Agent, and itenerary Justice among the Indians, subject to our Governmt., among other things usefull to be known for the safety and interest of this Colony, I aplyed myself in particular to have a very minute acct., of all people as well Europeans as salvages, from Virginia to the mouth of the Mississipi. I have had a personall view off most of these parts, either formerly when a Commander in the warrs, or this year by travelling, altho my inquiries and serches of this kind are not ffinished, yett considering the juncture, that peace must of necessity in some small time be concluded, I could not dispense with myself from laying before yr. Lordship a map of such travells and observations as I have already taken, to the end yr. noble Lordship may at one view perceive what part of the Continent we are now possest off, and what not, and procure the articles of peace to be formed in such a manner that the English American Empire may not be unreasonably crampt up. Yr. Lordship[s] may depend on the Inland topography to be exact as any thing of that kind can well be. The numbers of the inhabitant I took with the greatest care. Yr. Lordship upon view of the map will presently conclude that if the French now setled at Mobile were possest of all the Indians subject to ye Governmt. of Carolina, and had united them to those of the Mississipi, they wold be in circumstances to draw from among them such bodies of forces as wold be intollerably troublesom either to the English Colonies, or the naked unarmed country of New Mexico, and that this province, only by trading and other managemt. can put a check to them, a consequence of this is that this province, being a frontier both against the French and Spand., ought not to be neglected. I have represented this matter in such a true light to the Genll. Assembly, that they resolved to raise some forces, to reduce either the French fort at Mobile, or at least all the Indians betwixt us and the Mississipi, now in their alliance, accordingly I was busy providing everything for my voyage. I entertained intelligence among the Yassas, Tassas and Nochees, inviteing them to setle up Cussate river, I ventured my life, and made peace with the Chactas, in short I design'd to invite by fair means all that wold accept of our friendship, upon the terms of subjecting themselves to our governmt. and removeing into our territory, and quite to ruine such as wold not, soe that the French might never be in a capacity to raise an Indian army to disturb us or our allies, and that the lower parts of the Mississipi, being left desolate, the trade of the up[p]er might fall to this province by means

1709.

of factories, setled on Cussate river, for the French from Mobile wold find it extreme difficult to carry on that commerce, unless had releif and defence from the Indian towns on the Lower parts. But as I was imploying myself in concerting measures for the intended expedition, the intelligence of the French and Spands. designing to invade Carolina put a full stop to it, only I continue to invite over by fair means all that I can, which I hope will not be altogether in vain. My design was to fall down from the Talapoosies against the French with a fleet of 80 canoes man'd with 500 Indians and 1000 by land 15 English on ye one part and 30 with the other, with these forces I pretended either to destroy or remove into our territory all the salvages from Mobile to the Mississipi, and up the river to 36 degrees of latitude. The French of Mobile have their support by the furr trade from the head of the Mississipi, and a good underhand trade with the Spaniards of La Vera Cruz by way of Pansacola, that small garrison depends on Vera Cruz, and live in extream good terms with Mobile, being both afraid of our subjects, the Talapoosies, who last year burnt Pansacola town, tho the French at Mobile be now weak, yett they are well scituated for Indian trade. I have fix'd a red Cross to these places now subject to Carolina and a triangle at these in amity with Mobile. The English trade for cloath alwayes atracts and maintains the obedience and friendship of the Indians. They effect them most who sell best cheap. This makes it necessary that the trade with them should in England lye under as small duties and embarrassment as may be, sixpence custom for such dear skins as are small and not worth 12*d.* seems unreasonable. Yr. Lordship may perceive by the map that the garrison of St. Augustine is by this warr reduced to the bare walls, their Castle and Indian towns all consumed either by us in our invasion of that place or by our Indian subjects since, who in quest of booty are now oblidged to goe down as farr on the point of Florida as the firm land will permitt, they have drove the Floridians to the Islands of the Cape, have brought in and sold many hundreds of them and dayly now continue that trade, so that in some few years they'll reduce these Barbarians to a farr less number, there is not one Indian town betwixt Charlestown and Mowila Bay except what are prickt in the mapp, only am uncertain of the numbers of the Floridians. Our friend the Talopoosies and Checasas imploy themselves in making slaves of such Indians about the lower parts of the Mississipi as are now subject to the French. The good prices the English traders give them for slaves encourage them to this trade extreamly, and some men think that it both serves to lessen their numbers before the French can arm them, and it is a more effectuall way of civilising and instructing, then all the efforts used by the French missionaries. Ye English in next Treaty of Peace have just reason to insist upon the French quitting that setlemt. on the Bay of Mowila, because they setled it in prejudice to and dispight of the just title the English had to that Bay and the

1709.

River of it. It seem they found the Mississipi unfitt to setle on, and not willing to give any umbrage at that time to the Spaniards by going to the westward of it, made bold (tho' in time of Peace) with the English of Carolina, and setled on the Bay of Mowila, 150 miles to the east of the Mississipi, all the inhabitants whereof had for 10 years before submitted themselves and country to the governmt. of Carolina, and then actually traded with us; the French upon their first arrivall were so liberall of their presents yt. they entirely decoyed the people of the lower parts from their duty, and endeavouring to doe the same with the Talapoosies who live higher up, 5 of them were killed in the attempt, as they were coming up, by an Indian called Dearsfoot; this has made them desist ever since, and the English are now in possission of the greatest part of the people of that River. Yr. Lordship by a view of the map will perceive that if the Englist think fitt to use any efforts to make themselves masters of the furr trade from the head of the Mississipi, it must be done by drawing up the Yassas etc. to setle on Cussate river and making small forts to defend the traders merchantdise where the places are marked. Yr. Lordship will likewise se that the Cherockee nation now entirely subject to us are extreamly well scituate to keep of any incursions which either ye Illinois or any other French Indians may think of making into Carolina, and in effect so it is, they are now our only defence on the Back parts, but are themselves miserably harrassed by the Iroquis. Yr. Lordship may please to write to the governours of Maryland and New York to interpose as much with the Iroquois in their behalf a[*s*] possible, all parts of the English Dominions ought mutually to espouse one another's interest in everything that relates to the Common Defence against ye French and their party. I have considered this coast, what parts may be any way usefull to ye Brittish nation in order to setle Colonies. It is certain we have firm possession by means of our Indians from Charles Town to Mowila Bay, excepting only the garrison of St. Augustine and ye Islands of Cape Florida. If the English could spare people, it seems fitter to strengthen this Province, then setle any new. But if an inclination to setle any place to the Eastward of the Mississipi should prevaile, the old Country of the Apalachias is the only best, being for 40 miles long and 20 wide clear feild fitt for the plough, formerly manured by the Indians, who were four year agoe subdued, and the remaining part of them removed to Carolina. This place wold be proper for the seat of a governmt. to take in the neck of Florida and 100 miles to the westward along the Bay, that country is full of catle and horses, which before the war belonged to ye Spaniard and Apalachia Indians, but are now all wild. But if yor. Lordship please to have laid before you all the printed mapps and descriptions that are in England of the country to the westward of the Mississipi, and thoroughly consider all circumstances, you will incline to beleive that the English Nation can setle a Colony nowhere to greater purpose then upon some convenient place any where 60

1709.

or 80 miles to the westward of the mouth of ye Mississipi. It is certain there are considerable numbers of Indians there, so farr from being subject, that are at constant warrs with the Spaniards of new Mexico it is certain the french could not persue La Salle's design formed against ye mine country, by reason of their present circumstances with Spain, so that if the English put in and gett the Indians of their side, it may be a means of at least enjoying a good share of the trade both with ye Spaniards and their Indian subjects of that part of New Spain, the example of Queriso shows us that neither galleys, men of warr, nor garrisons can prevent a trade of that nature, and no man can foretell how favourable some revolutions of time might prove in affording oppertunities worth catching att, to gain some of the mines. The Bay of Campeeche lying not farr of the bay, men might be invited to setle in the new Colony and make it the port to ship home their wood from, and occasionally exercise the trade of cutting logwood from that port, above all things arming the Indians, purchasing their commodities, making discoveries and sending youths to learn their language wold be of the utmost consequence to the firm establishing ye Colony, for of them might be had men ready at any time to help oppose the Spaniards, a thing of this nature must be done with great secrecy, and first setled with considerable strength, and fortified with the utmost celerity. If the Spaniard patiently suffer the french to goe sharers with them in the Peruvian trade, it's equally reasonable that the English, should aim at gaining some of the Mexican. It's easy to make the peace and inland discoveries from Carolina, from whence we are already well acquainted as farr as the Mississipi. 2 or £300 sterling's worth of goods proper will be sufficient and for discovering the coast and finding a fitt River to setle on a sloop may be sent from hence privately. *Signed,* Thomas Nairne. 4 *pp.* [*C.O.* 5, 382. *No.* 11.]

[July 10.] **633**. Petition, statement of case, and depositions (2) of George Lillington. *v.* following, *and* C.S.P. 1705, *and* A.P.C. II. *No.* 1088. 7 *pp.* [*C.O.* 28, 43. *Nos.* 5-8.]

July 11. Windsor. **634**. Order of Queen in Council. On petition of George Lillington, the Order of May 19 is revoked, and the matter referred to the Committee for hearing Appeals, *etc.* *v.* A.P.C. II. *No.* 1088. *Signed,* John Povey. *Endorsed,* Recd. Read Aug. 2, 1709. 1½ *pp.* [*C.O.* 28, 12. *No.* 30; *and* 29, 11. *pp.* 483, 484.]

July 12. Whitehall. **635**. W. Popple to Mr. Burchet. *Encloses* extracts from Governor Handasyd's letter April 6, relating to the case of the Naval Officer condemned in Jamaica, to be laid before the Lord High Admiral for his directions therein. [*C.O.* 138, 12. *pp.* 415, 416.]

1709.
July 13. Whitehall. **636**. Council of Trade and Plantations to the Earl of Sunderland. *Enclose* extracts from Governor Handasyd's letter, April 6th, relating to a serjeant condemned in Jamaica, etc., to be laid before H.M. for her pleasure therein. [*C.O.* 138, 12. *pp.* 416, 417.]

July 13. Whitehall. **637**. Same to the Queen. *Recommend* that Samuel Sherlock, Samuel Smith, Wm. Outerbridge, Leonard White and John Peasly be appointed to the Council of Bermuda. [*C.O.* 38, 6. *p.* 467.]

July 13. Antigua. **638**. Masters of ships lying in the harbour of Antigua to the Council of Trade and Plantations. Address in favour of Governor Parke and his fair and regular administration *etc.* 10 signatures. *Endorsed,* Recd. Read July 13, 1709. 1 *p.* [*C.O.* 152, 8. *No.* 29.]

[July 14.] **639**. Christopher de Graffenried and Luis Michel to the Council of Trade and Plantations. Explain their proposal for settling Swiss Protestants in Virginia (*see* June 28, *supra*). *Signed,* De Graffenried, Michel. *Endorsed,* Recd. 14, Read 15 July, 1709. *French.* 3 *pp.* [*C.O.* 5, 1316. *No.* 28.]

July 15. Whitehall. **640**. Council of Trade and Plantations to Governor Handasyd. *Acknowledge* letters of Aug. 2, 1708, and Aprill 6, 1709. What you write of the want of seamen has been laid before the Lord High Admiral, and we have also transmitted to him the case of the Naval Officer *etc.* We have likewise laid before H.M. your desire in relation to the Serjeant *etc.*, and as soon as we shall know H.M. pleasure, we shall give you notice thereof. We are glad to perceive that the Assembly have passed the Acts you mentioned which we shall expect according to your promise, and when received shall consider the same as opportunity offers. P.S. Since our writing the above, we have received yours of May 1, and have only to add that H.M. has been pleased to pardon the Serjeant, *etc.*, and the same is now preparing by Mr. Attorney Generall for passing the Great Seal. [*C.O.* 138, 12. *pp.* 417, 418.]

July 15. Whitehall. **641**. Council of Trade and Plantations to the Earl of Sunderland. Enclose Addresses from Antigua and St. Kitts in favour of Governor Parke, to be laid before H.M. [*C.O.* 153, 10. *p.* 366.]

July 15. Whitehall. **642**. Council of Trade and Plantations to Governor Crowe. *Acknowledge* letters of March 2 and May 18. As to the proceedings of the Grand Session against Alexander and Wm. Walker, we can give you no directions therein; that matter is now depending, and Mr. Lillington's son is here to prosecute his father's complaint, as also Mr. Wm. Walker to defend himself, so that till both sides have been heard, we cannot make any determination thereupon. The Acts you transmitted, March 2,

1709.

shall be considered; but we have not received the Act about Agents referr'd to, May 18. And therefore we suppose that it has been sent to the said Agents, which ought to be immediatly transmitted to us from yourself. As to your refusing to re-admit Mr. Sharp, Mr. Walker and Mr. Beresford into the Councill, and your not issuing orders for their taking of depositions pursuant to H.M. directions to you, H.M. having been pleased to determine that matter in Councill, and having accordingly writ fully to you thereupon, we need not add anything in that matter. [*C.O.* 29, 11. *pp.* 476, 477.]

July 15. Whitehall. **643.** Council of Trade and Plantations to Lt. Governor Bennett. *Acknowledge* letters of April 8, June 12, Aug. 4 and 14, Oct. 29, 1708, and March $170\frac{8}{9}$. We can now make no return to what you write in relation to Mr. Jones, because the hearing of the complaints, which we had begun, has been put off till Michaelmas next by reason of the term then at hand, and other business; so that till both sides have been fully heard, we cannot give you any particular answer upon that head. We have recommended 5 proposed by you for the Council (*v.* July 13), and doubt not but the orders for their admission will be sent you by the Agent. We have received the tryal of Mr. Daffy, and shall as occasion offers have recourse thereunto. We have laid before H.M. what you writ us in relation to the cruelties of the French in the Bahama Islands, and to their design on Carolina. As to the condemnation of the *Margaret,* that matter being transmitted to the Commissioner of Customes, we need not say anything thereupon, not doubting but they will take care to justify their own officer's legal proceedings. [*C.O.* 38, 6. *pp.* 468-470.]

July 18. Windsor. **644.** Order of Queen in Council, appointing William Outerbridge to the Council of Bermudas. *Signed,* John Povey. $1\frac{1}{4}$ *pp.* [*C.O.* 5, 11. *No.* 40.]

July 18. Windsor. **645.** Order of Queen in Council, appointing John Peasly to the Council of Bermudas. *Signed,* John Povey. $1\frac{1}{4}$ *pp.* [*C.O.* 5, 11. *No.* 41.]

July 18. Windsor. **646.** Order of Queen in Council, appointing Samuell Smith to the Council of Bermudas. *Signed,* John Povey. $1\frac{1}{4}$ *pp.* [*C.O.* 5, 11. *No.* 42.]

July 18. Windsor. **647.** Order of Queen in Council, appointing Leonard White to the Council of Bermudas. *Signed,* John Povey. $1\frac{1}{4}$ *pp.* [*C.O.* 5, 11. *No.* 43.]

July 18. **648.** Order of Queen in Council, appointing Samuell Shirlock to the Council of Bermudas. *Signed,* John Povey. $1\frac{1}{4}$ *pp.* [*C.O.* 5, 11. *No.* 44.]

1709.
July 18.
Spanish Town.

649. Governor Handasyd to the Council of Trade and Plantations. *Acknowledges* letters of April 21, and duplicates, etc. The Gentlemen of ye Councill who is Factors for ye Affrican Company, or Factors for the sale of any other negroes, as to yt. matter, Col. Beckford and Mr. Chaplain haveing resigned their Factoridge, I know of none that is concerned but Col. Clark and Col. Thomson, who gave me for answere the last Councill Day, that they did not act for anybody but what is related to their own shipps, but since H.M. last orders is possitive in that case, as soon as I cann have a Councill (which I hope will be in 14 days time, their being severall of ye Councill sick and nott able at present to travill) H.M. commands shall then be nicely observed; as to ye Capts.' commissions of privateers, they are as full as they cann be according to the rules of warr, and everyone that disobeys command, is as lyable to suffer death as if they were on board H.M. shipps of warr, but as they are a headstrong ungovernable people, they must sometimes be led, and sometimes drove; as to what yr. Ldshipps mentions of the prizes, to have an account of the value of each prize, it is wholly out of my power, for in ye first place it being 15 or 16 miles distant, in the next place the frequent disputes that happens between ye captures and others, which offten last for severall months before condemnation, as also the delays in selling, and the last is, those who are appointed for the disposall of these prizes will nott transcribe me out an account under £20 a shipp; as to the Lord High Admirall's being surprized at my writing that the shipps of warr was in health at that time, and that they were in want of men. Since I have been in this Government, their has nott been supernumerary men in their shipps of warr, and never above two men of warr that had their highest complement. I hope my mistake cannott be great, considering the clymt., but they have men dies and desarts here as well as in other parts, and a great many more, as I suppose does appear by their muster, and all the supply which I find is now come, is one man of warr named ye *Portsmouth*, with the midle of her complement, the men of warr that Admirall Wager designes to leave here will not be capable of doeing any service, for want of men, ye *Portsmouth* onely excepted, but to be more plain with your Lordshipp the supplying the men of warr has and will be the ruin of H.M. Regiment under my command, considering also the duty which must be done at land. I have sent your Ldshipps. the Publick Account of H.M. Revenue, which I desire yr. Ldships. will order the delivery of to my Ld. High Treasurer, they have been swore to by the Deputy Receiver Generall, Mr. Chaplain, before me in Councill; as to publick affares here we have litle materiall, onely the Island has (for the 3 weeks or a month past) been afflicted with a violent distemper occasioned by a sore throat attended by a violent Feavour, which has carry'd of a great many people of all sorts. There was brought in here abt. 10 days agoe a French [*ship*] of abt. 160 tunn for ye most part loaded with dry goods from Old France. She touched at

1709.

Martinego and unloaded some part of her cargoe, she was taken by a Jamaica privateer, Capt. Pinckerman, Commander, the value of her I cannott inform yr. Ldshipps., but beleives she may prove a good prize; our men of warr and privateers has been very diligent, but I think for this 2 or 3 months past ye trayd both to France and Spain seems to be very dead, tho severall of our sloops and vessalls are gone and goeing a traiding upon ye Spanish cost; the gallions yt. escaped last year is still in Carthergena, and ye Laverdecrous Fleet is not yet arived at Havana. I beleive they will have a hard peice of work to get past our privateers, who has (for this 4 month) been watching for them. I return your Ldshipps. my hearty thanks for all favours done, to the releife of me and my Regimt., which I hope soon to have an order for, I doubt nott but the Gentlemen who is to succeed me will be better quallifyed to the management of the Queen and Countrey's affares then I have been to the entire satissfaction of all; altho I take God to my wittness I have faithfully endeavoured to give satissfaction to all, except in preserveing H.M. perrogative and the interrest of Great Brittain, as to any other affares here I know of none worth giveing your Ldshipps. the trouble of, *etc.* *Signed,* Tho. Handasyd. *Endorsed,* Recd. Sept. 10, Read Nov. 11, 1709. 2½ *pp.* [*C.O.* 137, 8. *No.* 67; *and* 138, 13. *pp.* 46-51.]

July 18. Windsor. **650**. Order of Queen in Council. Referring following to the Council of Trade and Plantations for their report. *Signed,* John Povey. *Endorsed,* Recd. 26th, Read 27th July, 1709. 1½ *pp.* *Enclosed,*

650. i. Petition of Robert D'Oyly, administrator to Cope D'Oyly, late Rector of Williamsburgh, Va., to the Queen. *Abstracted* A.P.C. II. *No.* 1100 *q.v.* *Copy.* 1¾ *pp.* [*C.O.* 5, 1316. *Nos.* 29, 29. i.; *and* 5, 1362. *pp.* 399-403.]

July 18. Windsor. **651**. Order of Queen in Council. Referring following petition to the Council of Trade and Plantations for their report. *Signed,* John Povey. *Endorsed,* Recd. 23rd, Read 25th July, 1709. 1 *p.* *Enclosed,*

651. i. John Bentley of Barbados, and Elizabeth his wife, to the Queen. *Pray* for relief in case *v.* Richard Downes, which is tryable only in the Court of Common Please there, where Downes is Chief Justice. *See* Aug. 2, 8, and A.P.C. II. *No.* 1099. *Copy.* 1 *p.* [*C.O.* 28, 12. *Nos.* 29, 29. i.; *and* 29, 11. *pp.* 477-479.]

July 25. Whitehall. **652.** Council of Trade and Plantations to the Earl of Sunderland. *Report* upon petition of Switzers to be settled in Virginia (*v.* June 28, 1709). The settlement of such a Colony will be a public benefit and advantage, by strengthning the frontier of Virginia against the French of Canada and Misisipi; and by the increase of Trade and Navigation, and therefore we see no objection why H.M. may not be graciously pleased to grant their desire and to direct her Governor upon their arrival to allot them lands on the southwest branch of Potomac (which is a place not yet seated by any of H.M. subjects) under the like conditions as are by the Charter and Laws of that Colony directed to be made; due care being taken in all such grants, of an equal distribution of the profitable and unprofitable acres, and particularly that every patentee be obliged in the best and most effectual manner to cultivate and improve 3 acres part of every 50 acres granted to them within the term of three years after the passing such grant; and in case of failure thereof, such grant or grants to be void and of none effect according to H.M. additional Instruction to Col. Hunter, Feb. 19, 1709. Provided always that in all things they duly conform themselvs to the several Acts and Laws of Trade and Navigation etc. *Set out*, A.P.C. II. *pp.* 608, 609. [*C.O.* 5, 1362. *pp.* 396-399.]

July 25. Windsor. **653**. Order of Queen in Council. Referring following petition to the Council of Trade and Plantations for their report. *Signed*, John Povey. *Endorsed*, Recd. July 28th, Read Aug. 8, 1709. 1 *p.* *Enclosed*,

653. i. John Sober, of Barbados, to the Queen. Governor Crowe behaved indecently to his wife and sister, and then forced him to leave the Island by an unjust prosecution *etc.* *Prays* for relief. *Copy.* 2 *pp.*

653. ii. Deposition of John Sober. Details of preceding. *Signed*, John Sober. *Copy.* 2½ *pp.* [*C.O.* 28, 12. *Nos.* 33, 33. i., ii.; *and* 29, 11. *pp.* 490-494.]

July 27. Whitehall. **654**. W. Popple to Mr. Solicitor General. Encloses for his opinion D'Oyly's petition, July 18. [*C.O.* 5, 1362. *p.* 403.]

July 27. Whitehall. **655**. Council of Trade and Plantations to Col. Jenings. *Acknowledge* letters of Nov. 27 and March 21. The accounts of negroes you have sent us will be made use of as occasion shall offer. But it came too late for the last Session of Parliament, where the African trade was under consideration. However, we have reason to beleive that ye next winter that Trade will be further look'd into, and then your accounts will be of service. But there is one particular wherein we are yet in the dark, vizt., you say that the Company have sold their negroes from 20 to £30 a head, and the separate traders from 20 to £35. We wish you had explained the reason of this difference, and therefore desire you to do it the first opportunity. We have considered the Counsell's answers to the several enquiries in our letter to you of May 7th, 1707. As to what they say about patenting of lands on the South side of Blackwater Swamp, and in Pamunkey Neck, you will perceive by H.M. Instructions, March 10, that that matter is now settled, which we hope will prove for the advantage of the Colony. We represented to H.M. what you formerly writ us, in relation to the settling the boundaries between Virginia and Carolina, etc. *Quote* Representation of Jan. 7, Order of Council Jan. 13, and reply of Lords Proprietors of Carolina. H.M. Letters Mandatory as to issuing out a Boundary Commission will be sent you. As to the exemption you mention to be granted by the Proprietary Governments to people that remove thither from being sued for debts contracted in other places, we hope that matter is remedyed at least in Carolina. For an Act having been past there granting such an exemption, we laid the same before H.M. with our opinion of the ill consequence of such Laws; whereupon H.M. was pleased to repeal the said Carolina Act. But if that practice of protecting creditors [*sic*] be still continued in Carolina or any other of the Proprieties, you will do well to give us as particular an account thereof as you are able, that we may lay the same before H.M. for her further pleasure therein. In relation to the Tobacco Trade, we doubt not but the merchants have given you and their correspondents an account of what has been done here for the encouragement thereof. However, the enclosed copy of an Order of Councill will explain that matter to you. So that we hope in a little time especially when a Peace shall be made, that the Colony of Virginia will find the benefit thereof. We do not conceive the difficulty the Councill make in returning an account of the quantities of tobacco exported from Virginia, because we beleive it may easily be known from the Naval Officer or Collectors Books. As to the Indian trade for furrs, which you fear is like to be wrested from Virginia by the Government of Carolina, we have writ to the Lords Proprietors thereupon, who have acquainted us that they had no account of that matter, but that they expected it by the first ships. However, when we shall receive the affidavits you promise upon that subject, we shall lay that affair before H.M. for her pleasure therein. We are glad there is no illegal trade carryed on in Virginia, and we desire that you will be as watchfull as possible, and that you will give all the discouragement you can to the setting up of manufactures in that Colony. We have often represented the necessity of regular fleets during the war, which has been ordered by H.M. But the merchants here have such different interests and opinions, that we may justly fear it will not be so punctually observed as it ought. We have laid before my Lord High Admiral what you write in relation to a guard ship, and have been informed by Mr. Burchet that some time since the *Guarland*, a 40 gunn'd ship sail'd for Virginia, and is ordered to cruize between the Capes, and another ship for the same service is order'd to be bought at New England. You have done well in taking care for the defence of the Colony, and we doubt not but you will have a watchfull eye over the proceedings of the enemy. [*C.O.* 5, 1362. *pp.* 405-410.]

July 27. Whitehall. **656**. The Earl of Sunderland to the Council of Trade and Plantations. *Recommends* following. *Enquires* if they have any objections, *etc.* *Signed*, Sunderland. *Endorsed*, Recd. 8th Aug., 1709, Read 4th Jan., 170$\frac{9}{10}$. *Enclosed*,

1709.

656. i. Samuel Berwick to the Earl of Sunderland. Son of a former Deputy Governor of Barbados, having an estate of £1500 a year there, *etc.*, Colonel of the Militia there and Receiver of the Queen's Revenue, he prays to be appointed to the Council. ½ *p.* [*C.O.* 28, 13. *Nos.* 3, 3. i.; *and* (*without enclosure*) 29, 12. *p.* 65.]

July 27.
Doctors Commons.

657. H. Bendysh to the Council of Trade and Plantations. H.M. Commissioners for receiving and disposing of the mony to be collected for the subsistence and settlement of the poor Palatines *refer following* for your Lordships' opinion thereon. *Signed,* H. Bendysh. *Endorsed,* Recd. 29th, Read 30th July, 1709. 1 *p.* *Enclosed,*

657. i. A proposal for settling 200 families of the poor Palatines in Jamaica. That H.M. will be pleased to send immediate orders and instructions to her Governor at Jamaica, to acquaint the Assembly there that it is her royal pleasure that Linches Island at the entrance of Port St. Antonio be forthwith cleared for the building of a town, and that 200 hutts be immediatly made capeable to lodge the said Palatines on their first arrival, which must be performed by each Plantation's furnishing a due proportion of Negroes for that work *etc.* That whereas there is a large tract of land on the main Island opposite to that place, viz., between the East side of Rio Grande and the East side of Porte Morante, which is at this time the property of the Crown and unoccupied, H.M. will be pleased to grant a parcell of 15 acres of the same to each of the said families, the allotment and distribution thereof to be made by H.M. Governour or Deputy on their first arrival reserving only to H.M. the usual quit rents on such grants to commence after years. That in order to the transportation of the said Palatines, application be made to the owners of the severall ships bound to Jamaica this season, to take on board so many as they conveniently can, and that ships be provided for the remainder to be ready to sail the begining of October. It is humbly conceived that ye charge attending this proposal will be, for transportation of 1000 people at £6 per head, £6,000; for subsistance till their own labour can produce it, £5 per head, £5,000; for tools and other necessaries, £2,000. In all £13,000. It is humbly hoped that a settlement pursuant to this proposal will be of so great advantage, not only to the trade but also to the security of the said Island, as to enable the inhabitants to support and defend themselves, and to ease H.M. of the great charge of maintaining a Regiment there, and that the labour of these people will in a very few years repay to England the present charge many fold in commodities, which we are now obliged to send silver into forreign parts to

1709.

purchase. *Signed,* Bartho. Gracedieu, Rd. Harris, Wm. Coward, James Whitchurch, Benj. Way, Lawrence Galdy, Wm. Parrott, Edmd. Watkinson, Samuel Jones. *Copy.* 3 *pp.* [*C.O.* 137, 8. *Nos.* 45, 45. i.; *and* 138, 12. *pp.* 420-424.]

July 27. Whitehall. **658**. The Earl of Sunderland to the Governors of New York, Virginia and New England. It being absolutely necessary for the security of H.M. Dominions in America and of the trade of her subjects thither that the Bahama Islands should be recovered from the enemy if possible, H.M. has commanded me to signify her pleasure to your Lordship that you use your best endeavours for that purpose; and the Commanders of H.M. ships on your coasts have orders to follow your directions in the pursuit of this design, which H.M. commends to your care and diligence, *etc.* *Signed,* Sunderland. [*C.O.* 5, 210. *p.* 163.]

July 28. **659**. Copy of Landgrave Christopher de Graffenried's Patent for land in Carolina. *Cf.* Aug. 4. *Signed,* Craven Palatin, Beaufort, Craven for the Lord Carteret, M. Ashley, J. Colleton, J. Danson, M. Ashley for Jos. Blake. [*C.O.* 5, 289. *pp.* 224, 225.]

July 28. Admlty. Office. **660**. Mr. Burchett to Mr. Popple. This night the Queen's and my Lord High Admirall's Orders will bee sent to Virginia, New England and New Yorke, relateing to the Bahama Islands, and they are to bee carryed by Capt. Smith of the *Enterprize*. *etc.* *Signed,* J. Burchett. *Endorsed,* Recd. July 28, 1709. $\frac{3}{4}$ *p.* [*C.O.* 323, 6. *No.* 82.]

July 28. Custom-house, London. **661**. Commissioners of H.M. Customs to the Lord High Treasurer. *Report* upon the Act of Virginia *for setling the towns, ports, wharfs and keys, etc. v.* C.S.P., 1704—1706. *Refer* to Report of March 7, 170$\frac{4}{5}$. This Board then approved of that Act. Though we are still of the same opinion that it will be more for the ease of collecting ye duties in the country, yet we have great reason to fear from the improvment in the woollen and other manufactures already begun and still carrying on in Virginia and other parts of the Continent, that the establishment of towns and incorporating the planters and others there with the priviledges intended by this Act will put them upon further improvements in the like manufactures, not only for themselvs but other of the Plantations, and take them off from planting tobacco, which would be of a very ill consequence to this Kingdom, both in respect to the exports of clothing, and all other necessaries from hence thither, and their dependance on this Kingdom, but lessening the importation of tobacco hither for the home consumption and supply of foreigners, besides a further injury in point of shipping and navigation, and therefore, rather than put this trade upon such hazardous points, we would humbly advise that the said Act may be rejected, and that all due encouragement may be given to the Planters for

1709.

turning their hands to manuring and cultivating their wast lands for tobacco, and diverting them from other manufactures. P.S. We are of the like opinion relating to the Act of Maryland for settling ports, *etc.* *Signed,* J. Stanley, Will. Cullyford, Jo. Werden, M. Dudley, J. Shute. *Endorsed,* Recd. Read Nov. 18, 1709. 1½ *pp.* *Enclosed,*

661. i., ii. Duplicates of C.S.P. 1706, *Nos.* 642, 674. [*C.O.* 5, 1316. *Nos.* 37-39; *and* 5, 1362. *pp.* 432-436.]

July 28. Carolina. [1708.]

662. Tho. Nairne to [? *the Earl of Sunderland.*] Since my last, my ffortunes have mett with a strange turn, haveing had the misfortune to fall into the hands of such persons as are well known never to lett an opportunity escape of being revenged on those, who have ever opposed any of their actions, tho never so irregular. It is the great unhappiness of this Countrey, ever since the reign of the present Governor to be divided into two parties, the most violent whereof haveing the Govermt. and Courts of Justice in their hands, often use their power to crush others, as is notoriously known. It was my fortune to be one of that party who look'd upon Governor Johnson's administration to be in great measure destructive to ye Collony, and naturally tending to confusion and depopulation. I was against his excludeing Act, and drew and brought into ye Assembly Addresses to thank H.M. and the House of Lords for their goodness and justice in repealing them: things of this nature have laid me open to ye hatred of ye Governor. It is our custom in this Province to make merchandize of such other savages as they of our party take in the warrs. But not content with this, those English traders, who live among them, had gott a trick of setting them to surprize one another's towns, by that means to have the quicker sale of their goods for the prissioners taken, and to the end they might never be punished for actions of that kind, usually had the adress to procure a present to be made to the Governor of the booty so gott. In particular, one James Child about two years agoe raised the people of some of the Chereckie towns, and led them to cutt off two or three small towns of our freinds, pretending 'twas the Governor's order, they destroyed the towns, took about 160 slaves (besides the slain), 30 of which came to Child's share, these he brought and exposed publickly to sale in Charles Town, pretending still to have an order from the Governor, and that half were for him, the Assembly then sitting sett the people free, examined Child, who could (or would) show no sufficient commission, they sent Address after Address that the fellow might be prosecuted, but nothing could prevail with the Governor so much as to hinder him from goeing again among the Indians (who have since killed him), this made people mightily exclaim and gave great reputation to the private whispers that the Governor privately encouraged these kind of actions. This and others of this kind, lying before the Assembly made them dread the consequences of such actions, and being by these methods led into one Indian warr, especially

1709.

since the French settlement on the Mississipi, whereupon on July 19, 1708, they presented the Governor with £400 and £100 per annum for passing an Act for the rectifying these abuses, this they did with much reluctancy, only fear of danger prevailed with them. By that Act I was appointed an Agent to ride a circuite do Justice, among the traders and Indians, to redress all abuses, this was a peice of magistracy, exposed me at once to the hatred of the Governor and Traders, by my endeavouring faithfully to discharge my dutty which the corruption of the time and place would not bear. This made two of these loose fellows (one whereof I had formerly committed for buggery) swear against me severall things, relateing to scandelous words spoke against the Governor, but these presently blew over, which made them have recourse to a peice of perjury, that would effectually answer their master's designs, and give him large scope to pursue his malice to my thorough destruction. The words they pitched upon for that purpose were, that I said the Prince of Wales was King James' son, one added Right Heir to the Crown, the other did not. Upon which I had a mittimus made clapt into close goall for high treason, and pursued with the most violent injustice ever was heard of in America. I petitioned either to be speedily tryed here, admitted to bail or sent to England, but the malice of the Governor was so great that he denyed to allow either, pretending he would send to H.M. for orders what should be done with me, which in plain English was, you shall [?*lie*] like a dog in a hot hole, which in this warm countrey will soon make an end of you, while I still pretend not to have heard from England, and in the meantime your small estate will be entirely ruined. This is my present condition. I have profferr'd £10,000 secureity either to go for England, or to appear at the next Sessions here, but could be admitted [*to*] neither, for the Governor knows well that what is alledged against me will appear in its proper colours before any Court of Justice, nothing more blind then malice, else any man would be ashamed to make use of such evidences or talk of dethroneing a great prince among the pine trees 4000 miles from her. I showed both Law and reason for being admitted to the benefit of a writt of Habeas Corpus, but to prevent anything of that, my mittimus was wrote contrary to the deposistions, tho' at the same ye Governor acknowledged, there never had been any Law arrived in this Countrey, that would reach my case, only he had heard of one in England, and would send for it. My circumstances are hard, for by this usage no doubt my enemies will soon gett me out of the way, if am not speedily releived from England. I never was in England, have neither friends nor acquaintance, nor know to whom to apply myself. By means of Mr. Boon's letters from London, I have been acquainted with your Lordship's noble character, that yr. Lordship is an enemy to all illegall and unjust oppressions. This gives me confidence to begg yr. Ldsp's. protection, in being pleased to lay open my case to H.M. and entreating the ffollowing favours—to procure an order

1709.

for that I may be speedily admitted to a tryall here; where all parties are well known, and for preventing all illegalities, by delaying the sessions or keeping of evidences, that I may be admitted to bail. The Orders must be very positive, and clear, or else a thousand pretexts will be sett on ffoot to elude them, for tho in England the course of law is open, and the powerfull cannot easily wrong others, yet here it is quite otherwise, and now more then ever. The better to comprehend how arbitrarily Governor Johnson reigns, especially in my case, yr. Lordship may please to observe that it's a generall rule of Law, taken up in this place, that no English Act of Parliament is in force here untill made so by an Act of this Province. This is upon many occasions insisted upon, and by none more then by the present Governor who would not so much as let the Statute of Bankrupt be pleaded in Court against Lt. Col. Wm. Rhett, because it was never passed into a law here, and that the better to vindicate his proceedings, took pains himself to procure subscriptions to papers sent to England, to show that to be the Law of the Collony. If your Lordship please to compare this with my case, you will conclude the Law here is a strange sort of Proteus capable of putting on all shapes and figures as occasion requires *etc. etc.* He well knows no Jurry will hang a kitten upon the oaths of his evidences, and knows my principles to be quite opposite to what is alledged *etc* *Signed*, Tho. Nairne. 3 *pp.* [*C.O.* 5, 306. *No.* 4.]

[*July*] **663.** Lt. Governor Usher to the Council of Trade and Plantations. Since mine in March lastt, have onely to ad H.M. gracious sending to reduce the French, and apointing Col. Nicholson to take care for effecting thereof, exceding joyfull to all in N. Engld., who are redy and willing contribute there assistance to soe glorious an undertakeing, pray God may have success. Col. Nicholson, to admiration neglects noe time nor spares any exspence for promoteing design, his procedeings formerly well known for courage, justice, honour and endeavoring prosperity of place, thatt the Generall wishes he may have Govermtt. N. Engld., and itts the desire of all H.M. true loyall subjects. The vastt sums raised from H.M. subjects and all to litle purpose by reason wantt of good judgmtt. and conductt, the people of N. Engld. groanes under burden thereof. George Vaughan returnd, giving accott Mr. Allen castt, lostt the Province and same confirm'd to the people, and a finall issue, I suspend beliefe thereof; knowing in all raines Mr. Mason's title judged good, consequently Mr. Allen's, judges and jurors being all partys will never give the case nor find a spetiall verdictt, butt hope ways may be found for releife, if nott, liberty to apeal for Greatt Brittain noe advantage butt a ruin, charges of same being greatt; I know 2 cases where spetiall verdictt denied, vizt., one of Crown's for some thousands pounds for prize mony, jury gave for Deft., other Mr. Allen's case. As to procedeings in Courtt, one Langstaf for Walderen apeared in Courtt sworne, as to title poscestion, Mr. Allen desired Langstaf mightt be examined, whether he did nott come to N. Engld. as one Mason's servatts., and did setle the country, build fourtts, etc., judges refused to examin saying was onely summoned to give evidence for Walderen, wch. I judge contrary to practice of Engld.; thus the Crown as well as subjectt, may be denyed justice and noe releife. I presume all lands to be held from Crown, Mason's title from the Crown, I would have Mr. Allen resign up his claime for a sum of mony with arears of all dues, for case has bin 30 year in Law, if H.M. perchase same, then from Naumkege, wch. is Salem, to Eastward would be att disposeall of H.M., and a quitt-rent may be raised, wch. with the dutys of imposte and excise may amountt to above £2000 per anum. Mr. Allen mortgaiged the Province for monys I advanced and ingaiged for to vallew of £1500, and now with interestt is above £1700: on receiptt of my mony will resign mortgaige to the Crown, all the Fishery, mastts, timber for building, and trees of turpentin, for roisin, pitch and tar, land for hemp and flax, doth all lay from Naumkege soe eastward; H.M. King Charles would have perchased Province Main, ytt being the Govermtt's. is now the Queen's, and haveing Hampshire, will bring all more depending on the Crown. And a quitt-rent may be laid for suportt of Govermtt. if H.M. reducess Nova Scotia and Acada, there are cole mines of greatt vallew, fireing in N. Engld. soe dear ytt. will be forced to burn coales. We have had an Actt of Parlimtt. here published relateing to mony passing at 17½ dwt.; noe reguard to the Actt, all mony still att 15 dwt., soe merchatts. makes a prodigious advance on goods, ye country impoverished, and in issue prove a damage to Kingdome Great Brittain as to woollen manufactury, for from H.E.'s family to meanestt peasantt home-spun is worne. A Governour cant be suported with a small salary if the lawes of Engld. be nott putt in due execution. Mr. Allen when had his comistion from King Wm. for Governour, in itt I was apointed Lt. Governour; Mr. Allen did agree to allow me £250 per annum, was there 4 years, spentt my estate and time, never had one peny. Mr. Allen being keptt outt of his rightt, could nott pay the money; he tendered me 1000 acres lands uninclosed and unoccupied att Little Boares Head, a draughtt of dede drawen, butt before accomplish ye same dyed, if H.M. perchase ye place, desire care may be ytt. I have the £1000 or 1000 acres land. There are many persons pretend to greatt tractts land. One lays claime to 18000 acres by town grants, same noe ways improved, a greatt hinderance in setleing and peopling place. I humbly offer to your Ldships.' consideration a quitt-rentt how to be laid. H.E. is pleased to kepe me ignorantt as to anything relateing to the Govermtt., ytt he makes my comistion onely a cipher, however in all things shall redily yeild obedience to any commands from Crown, or H.E., waiteing and hopeing for better times, *etc. Signed,* John Usher. *Endorsed,* Recd. Sept. 8th, Read Dec. 12, 1709. *Holograph. Addressed. Sealed.* 2 *pp. Enclosed,*

663. i. Mr. Usher's scheme for quit-rents at 6d. on ye pound, as agreed with Mason, *etc*. 1 *p*. [*C.O.* 5, 865. *Nos.* 34, 34. i.; *and* 5, 913. *pp.* 145-152.]

Aug. 2. Whitehall. **664**. Council of Trade and Plantations to the Queen. Representation upon petition of John Bently etc. *See* July 18. Governor Crowe ought not to have referred the case to Richard Downes, the principal person interested. *Recommend as ordered* Aug. 8. q.v. [*C.O.* 29, 11. *pp.* 480-482.]

[Aug. 2.] **665**. Mr. Onslow and Mr. Lloyd to the Council of Trade and Plantations. Proposals for settling Palatines in Jamaica elaborated. *v.* July 27. *Endorsed*, Recd. Read Aug. 2, 1709. 1 *p.* [*C.O.* 137, 8. *No.* 46; *and* 138, 12. *pp.* 424-426.]

Aug. 2 *and* 12. Boston. **666**. Col. Vetch to [? *the Earl of Sunderland.*] *Refers to* letter and journall of June 28. After having finished everything at New York relating to the service of that part, all the troops being gone to Albany, and the advanced detatchment of 500 men having been employed in making a Fort, storehouse and building canoes and boats att Wood Creek, I sett out for Boston June 29, hoping to have found the Fleet arrived before I could reach that place, Coll. Nicholson and the Lt. Governour of New York being to sett out for Albany in a day or two after me, in order to give the necessary directions there to meete the five Nations of Indians, and deliver them H.M. present sent by my Lord Lovelace, with the addition which we judged absolutely necessary to make upon this juncture; the French having laboured so much to bring them over to their intrest, or at least to make them newtrall. In three days after I left New York I arrived at Road Island by sea in a sloop hyred for that purpose; I found their quota of troops were gone to Boston by sea and had been arrived there tenn days; upon which I made all possible dispatch to Boston by land, being about 80 miles distance, being by sea 200, and very dangerous, for privateers, upon my arrivall at Boston which was in two days more, making the 3rd of July, I formed the 3 regiments which had been agreed upon before I left Boston, and where I had left an officer to exercise every batalion, which I found upon reveiwing the troops, they had performed very diligently. The Assembly upon a memorial I had left with the Governour representing the advantages of their being uniformly cloathed as the Regular troops, had ordered every man to have a blew or red coat as the Colls. inclined, so after their being armed, cloathed and regimented, I have seen them every day exercise by the three officers whom I left with them, and who are since commissioned as second Majors to the sd. three regiments, so that I can now without the least boast assure your Lodp. that they both do the manuall exercise and fire in platoons and battalion equall to most regiments in the service. I have likeways formed 3 companies of granadiers fitted with everything as in the armie, as I did at New York to the regiments there before I left that place.

The bodys of men are generally better then those in Europe, and I hope their courage will prove so too, so that nothing in humane probability can obstruct the success of this glorious enterprice, save the too late arrivall of the Fleete, our transports, flatt-bottom'd boats, whale-boats, as well as our troops being all ready att 12 hours warning; and because the fleet is so long a coming that the lateness of the Expedition may endanger some of the ships in their return to be blown off the coast, the Assembly upon my representation have allowed their troops six months provisions besides what they now use, every man having 8d. per day punctually payd him for his victuals besides 9s. per week pay, and most of them have had £12 per man levy money, so that it is a vast expense to the Goverments here; but what they chearfully pay in hopes of being freed forever hereafter. All that they have now to do is to fast and pray for the safe and suddain arrivall of the Fleet, for which they have already had two publick fast days kept. I acquainted your Ldshp. in my last of the vast expense I have been at in travelling neare 900 miles from Boston to the Jersies, and back again by sea and land: as well as the carrying along with me 7 officers whose expense I was necessitate to defray all the way to New York, which being absolutely necessary for the good of the service, I assure myselfe your Ldshp. and the Ministry will not scruple the payment of the same: I have charged but 20s. per diem during the time of my departing from Boston untill my return; all which together with my own pay I have spent on the journey, and £5 to each officer that went with me, etc., *etc. Prays for a suitable reward when success has been achieved.* By my last advices from Col. Nicholson att Albany, of July 20th, the troops were mostly all advanced to the side of the Lake, and had finished their forts, canoes, and almost the necessary forts, as well as made a waggon-road all the way to the Wood Creek from Albany, and all of them but especially the Indians grew impatient to be in action; by the long delay of the Fleete, and our people's being upon the French frontiers (which hath sufficiently alarm'd them) they have had time to prepare themselves to give us a warme reception; but if the fleet arrives so as we can reach Quibeck before the latter end of September, I doubt not to give your Lordsps. a good acct. of the affaire, providing the French have not sent a considerable reinforcement from Old France. Portroyall in the neighbourhood of this place proves a little Dunkirk in disturbing their commerce, and taking their vessels, having taken 8 or 9 within this month; had I supposed the Fleet would have taryed so long, I would have proposed with the men of warr which waite here for the Fleet, and the three regiments of this place, together with a company of matrosses (which I have levied here and at New York, consisting of 80 *etc.*) to have gone and attacked that place, which I doubt not but to have caryed. *Repeats requests of June* 28, *etc.* The too late arrivall of the Fleet would be the last dissappoyntment to all H.M. Colonies who have so heartily and at so vast an expense complyed with Her Royall

1709.

orders, and would render them much more miserable then if such a thing had never been projected or undertaken, *etc.* I have conforme to H.M. Royall Instructions for the same provided here a considerable quantitie of provisions for the troops to be left in garrison in Quibeck and Mountreall, particularly bread and flower, which begin to grow dearer here, by reason of the great price it gives in Portugall, whither they ship off a great deal as well as to the west Indies; I have drawn upon my Lord Treasurer for what I have bought; but would not adventure to buy up the quantity requisite nor the pork, nor beeffe untill I have certain news of the Fleet being sayled; I doubt not but my Ld. Treasurer will honour the bills, it being both H.M. positive orders, and absolutely necessary for the good of the service, *etc.* P.S. *Aug.* 12. Since the date of the above arrived here the *Guernsey* man of warr, in her Capt. Moody, via Newfoundland, whom I have desired to acquaint your Ldsp. at large with his negotiation, *etc.* I shall only presume to acquaint your Ldsp. how vastly uneasie all H.M. loyall subjects upon the Continent are, att the not arivall of the Fleet, which is like to dissappoynt the great expectation and faire prospect they had of securing to themselves and their posteritie a lasting happiness and tranquility, as well as an advantageous trade both to themselves, and all the Brittish Empyre; the hopes of which made them so readilie and heartily comply, nay, outdoe H.M. orders, by me signified to them att so vast an expense, that it cost H.M subjects embarked in this affaire £100,000, besides the loss of their trade, which the embargo upon all shipping for these three months past hath occasioned. Add to this the alaraming the French (which could not be evited, after our advanced party went to the Wood Creek) hath given them occasion to fortifie both places better then ever they were before, pray God hasten in the fleet, otherways the vast service I had the hopes of doing them, and of which they were highly sensible, will prove the reverse of it: but as the fault does in no ways lye at my door, haveing in everything performed my part, so I hope, should it miscarrie by the too late or not arivall of the Fleet, I shall not loose a just reward, *etc.* By an express from the armie upon the Lake side, of the 29th of July, I am advised that Coll. Nicholson and the whole army are there fitted and ready to embark in their canoes, and flatt boats for Mountreall, upon the first orders from hence, which they impatiently wait for: they have had some scirmishes in canoes, with some partys of French and Indians, who came over with designe to burn our boats and canoes, and so frustrate the designe for this summer, but were repulsed with loss, they are quite impatient for the arivall of the Fleet, the transportation of their provisions to the lake side costs as much as the provisions itselfe. *Signed*, Sam. Vetch. *Endorsed*, R. Oct. 1st. 4 *pp.* [*C.O* 5, 9. *No.* 27.]

Aug. 3. Whitehall. **667**. W. Popple to Mr. Bendysh. Encloses following to be laid before H.M. Commissioners, etc. (*v.* July 27). *Annexed*,

1709.

667. i. Council of Trade and Plantations to H.M. Commissioners for the settlement of the poor Palatines. We have considered the proposal of Sir B. Gracedieu and other merchants and traders to Jamaica, for settling of 200 families of poor Palatines on that Island, referr'd to us by your Lordships, and have been attended by some of ye said proposers and heard what they had to offer thereupon. We have likewise been attended by Mr. Onslow and Col. Lloyd who, in behalf of themselvs and other planters of that Island, have made some objections to the said proposal, and have delivered to us one of their own. They think it a great hardship that a power should be lodged in the Governor or Assembly to oblige the planters to send their negroes (some perhaps 100 miles or more) to clear the land and build a town on *Linches Island*, for the settlement of the said Palatines, while their own plantation work shall stand still for want of the said negroes. The first proposers seem to agree in the same opinion, and therefore do not desire any such compulsory power to be lodged either in the Governor or Assembly. But they think it reasonable, and therein we concur with them, that the Governor have H.M. directions to move the Assembly to raise a fund for clearing the land and making plantations for the said Palatines. The next objection is, that Linches Island is the property of the heirs of Sir Thomas Linch, who besides the said Island, had a grant of a great number of acres of land at or near the said place now in the possession of Mr. Woodcock. But forasmuch as those lands have never been cultivated by the respective owners, nor the conditions of the grants performed, 'tis conceived the owners may be compounded with to surrender their rights at very moderate rates, and this wee look upon as a thing that ought in the first place to be taken care of, that the title to the lands where the settlements are to be made, be cleared, to prevent any future disputes concerning the same. We have communicated the proposals offered to us by Mr. Onslow and Col. Lloyd, to the persons who made the first proposal to your Lordships. They agreed to the 3 first articles, but as to the 4th, they think that 1½ years provisions to be allowed the Palatines upon the publick charges (with which opinion we also concur) will be too much; and that a provision for their subsistence one year will be sufficient, for that there are pease and several other sorts of pulse that come to perfection and may be gathered in 6 weeks after they have been sown, besides that there is plenty of fish on the coast, and wild hogs etc. in the woods. They likewise agree to Article 5, but Article 6, which is, that this settlement be made wholy at the charge of this Kingdom, we think unreason-

able, for that the inhabitants of Jamaica, besides their security and defence will have a proportionable and more immediate share in the advantage that will accrue from the said settlement. Article 7 relates to the charge. They agree to the transportation of 1,000 persons at £6 per head, but we suppose it may be done cheaper, considering the number, and that several of them are small children. As to subsistence, they think £5 a head for one year sufficient. For buying cloths, tools, netts for fishing, fuzees, powder and shot, they think £2 per head will suffise. As to clearing the land the charge whereof is estimated at £3 per acre, they think it ought to be left to the Assembly to provide for the defraying thereof. Upon the whole we are of opinion that the place agreed upon for this settlement is very commodious and proper for that purpose, but as we conceive they ought rather to be seated on the Main Island than on *Linches Island*, their abode there ought only to be provisional till their plantations on the Main can be perfected; that such a settlement may be rendred very advantagious to this Kingdom and to Jamaica by the increase of the product of that Island (and particularly of indigo) and by the consumption of the British manufactures there, and therefore it ought to meet with all due and fitting encouragement. It will be of great advantage to the better carrying on of this design that H.M. be humbly desired to direct her Governor there to move the Assembly in the most effectual manner to contribute a sufficient summ to be employed in building of hutts on *Linches Island*, and in falling and planting 400 or 500 acres of land on the Main Island, as is mentioned in Article 3 of Mr. Onslow and Mr. Lloyd's proposal. And for the better security of the said Palatines at their first arrival against the insults of the French and Spaniards from Hispaniola and from their privateers, 'tis conceived that it will be needfull a party of H.M. soldiers of about 30 or 40, or what number shall be thought most expedient, be drawn down to Linches Island, which commands Ports St. Antonio, with an Ingineer or other Officer, and there to erect a small fort with some guns for the security of the harbour, and the protection of the planters in their new settlements. [*C.O.* 138, 12. *pp.* 427-433.]

Aug. 4.
Whitehall.

668. The Earl of Sunderland to Mr. Jennings. *Acknowledges* letter of March 21. I hope you are long before this time eased of the apprehensions you had from the enemy, tho' it will be but prudent to be upon your guard; as to the ships you desire, you may depend upon it My Lord High Admiral will do the best he can for you, but there being at this time so many services, and some of them very pressing to employ H.M.

1709.

Navy, it is not possible so good provision can be made for all of them as might be wisht, and this ought to redouble your diligence in providing for your own defence, in which I doubt not but you will employ your zeal and application. *Signed,* Sunderland. [*C.O.* 5, 210. *p.* 156.]

Aug. 4. Whitehall. **669**. Same to Governor Handasyd. I am to acknowledge your letters of Feb. 1, April 6, May 1 and 25, and to return you my thanks for the particular accounts they contain of occurrences in your parts, I have procured H.M. warrant for a pardon to the poor serjeant of your Regiment, as you desired, and shall always be very ready to do anything in my power that may be for your service, or upon your recommendation. *Signed,* Sunderland. [*C.O.* 5, 210. *p.* 156.]

Aug. 4. Whitehall. **670**. Same to Governor Dudley. I am to acknowledge the receipt of yours of March 9; your care for the encouraging the trade for tarr and preserving the timber is certainly to be commended, but it is thought it had been better not to have given the Assembly of Massachusets Bay an opportunity of refusing to enact a law for the latter, since that was sufficiently provided for by the Charter; your endeavours for the defending your Frontiers from inroads of the enemy are a very good service to H.M. and the Colony, and the further providing for their security has not been unthought of here; as you will have been fully informed by Col. Nicholson and Col. Vetche, but the juncture of affairs would not admit of doing all that was designed. You may be sure all the assistance will be given you that is possible, but in the meantime you must not be wanting to yourselves in making the best provision you can for preventing and disappointing any designs the enemy may have against you. *Signed,* Sunderland. [*C.O.* 5, 210. *p.* 157.]

Aug. 4. Whitehall. **671**. Same to Governor Seymour. *Acknowledges* letters of Sept. 10, 1708 and March 10, 1709. You are certainly very right in the care you take to observe the Roman Catholicks in your parts, who like them of the same profession elsewhere, tho' they enjoy the benefit of H.M. protection, the equity of the laws and mildness of the Government, cannot forbear giving manifest signs of their disaffection thereto. The several matters you write about in relation to the Assembly, the County Courts and your Boundary, naturally fall under the consideration of the Council of Trade, to whom I take it for granted you have written on that subject, as the allowance to the itinerant Judges does under that of My Lord Treasurer, and you shall be acquainted with H.M. pleasure, when she is come to any determination therein. *Signed,* Sunderland. [*C.O.* 5, 210. *p.* 158.]

Aug. 4. Whitehall. **672**. Same to Governor Park. I have received yours of May 2 and 4, the former requires no particular answer, and as to what you mention in your last of the complaints against you, you may depend upon a fair hearing and examination of them

1709.

and justice being done you, which is all the service your friends can do you, and if your conduct has been as fair as I hope it has, is all you need desire of them. *Signed,* Sunderland. [*C.O.* 5, 210. *p.* 158.]

Aug. 4. Whitehall. **673.** Same to Lt. Governor Bennett. *Acknowledges* letters of Oct. 29, 1708, and March 12, 1709. Your care in relation to the French prisoner Peter Gremot (of whom care will be taken in the way you mention) is very commendable, as is likewise your diligence in sending notice to the Governor of Carolina of the intelligence you had of the enemy's designs on that Colony, which I doubt not have been disappointed, as I am persuaded any attempts on your Island would be by your care and diligence in providing for its security. *Signed,* Sunderland. [*C.O.* 5, 210. *p.* 159.]

Aug. 4. Whitehall. **674.** Same to Mr. Bridger. *Acknowledges* letter of March 29. The matters it contains lying before the Council of Trade, I have nothing to add, *etc.* *Signed,* Sunderland. [*C.O.* 5, 210. *p.* 159.]

Aug. 4. Craven House. **675.** Lords Proprietors of Carolina to the Deputy Governor of North Carolina and John Lawson, Surveyor General. We have thought fit to create the Hon. Christopher Graffenried a Landgrave of our Province of Carolina, and granted to him and his heirs 5000 acres of land in North Carolina, he having paid to us £50 purchase money for the same. You are to sett out for his use 5000 acres contiguous to each other where he shall think proper, and reserve a quit-rent of 5*s.* per 1000 acres to us, our heirs and assigns, *etc.* *Signed,* Craven Palatine, Beaufort, M. Ashley, J. Colleton, J. Danson. [*C.O.* 5, 289. *p.* 221.]

Aug. 6. Windsor. **676.** H.M. Warrant granting John Perrie, Provost Marshal of the Leeward Islands, a further two years leave of absence, on the grounds of ill-health, he appointing a deputy approved of by the Governor. *Countersigned,* H. Boyle. [*C.O.* 5, 210. *p.* 160.]

Aug. 6. Windsor. **677.** The Queen to Governor Crowe. It cannot but be very displeasing unto us to receive repeated complaints of your disobedience to our commands as we have now lately done by the petition of Manuel Gilligan etc. We doe hereby command you, as you will answer the contrary at your peril forthwith to obey our Order of March 31. *etc.* *Cf.* July 18, 1709. *Countersigned,* H. Boyle. [*C.O.* 5, 210. *pp.* 160, 161.]

Aug. 6. Windsor. **678.** The Queen to Governor Hunter. Instructions to appoint boundary Commissioners to act with those of Carolina, *etc.*, as Order in Council, March 31, 1709. *Countersigned,* H. Boyle. *Endorsed,* Recd. Aug. 10, Read Oct. 12, 1709. 3 *pp.* [*C.O.* 5, 1316. *No.* 34; *and* 5, 1362. *pp.* 422-424; *and* 5, 210. *pp.* 161-163.]

1709.
Aug. 6.
London.

679. Mr. Dummer to Mr. Popple. The *Resolution* West India packet boate arrived at Penzance Aug. 2, after a tedious voyage out and home of 130 days. There is nothing extraordinary but the action of the *Portland* upon the *Coventry*, wherein was found 78 chests valued at £75,000. That the Spanyards haveing been pinched by our privateers are cautious of their coasting trade, and verry litle purchase gotten, soe yt. as they have spoyled the honest trader and the Jamaica trading, soe in likelyhood will ruine themselves. The postmaster Generall and myselfe have concluded to send orders this day sennett, for ye saileing of ye *Pearle* packett boate. *Signed*, E. Dummer. *Endorsed*, Recd. Aug. 8, 1709. *Addressed. Postmark.* 1 *p.* [*C.O.* 323, 6. *No.* 83.]

Aug. 6.
Treasury
Chambers.

680. Mr. Taylour to Mr. Popple. My Lord Treasurer taking notice of the great charge that H.M. is at for the reliefe and subsistance of the poor Palatines and of the slow steps that are made towards setling of them, in a Commission so very numerous as is appointed for that purpose, desires the Council of Trade and Plantations to make a proposal for the speedy disposing of them, in such manner as may soonest lessen the expence the Government is now at for their subsistance, etc. *Signed*, J. Taylor. *Endorsed*, Recd. 6th, Read 8th Aug., 1709. *Addressed*. 1 *p.* [*C.O.* 388, 76. *No.* 84; *and* 389, 36. *p.* 439.]

Aug. 8.
Windsor.

681. Order of Queen in Council. Richard Downes is to be removed from being Judge of the Common Pleas, St. Michael's, Barbados, and Governor Crowe is to see that there is no delay in the case of John Bently, *etc. See* Aug. 2, and A.P.C. II. *No.* 1099. *Signed*, John Povey. *Endorsed*, Recd. 5th, Read 10th Nov. 1709. 1 *p.* [*C.O.* 28, 12. *No.* 45; *and* 29, 12. *p.* 46.]

Aug. 8.
Craven House.

682. Lords Proprietors of Carolina to the Council of Trade and Plantations. The ship call'd ye *Loyal Johnson* (which we so long expected) being now arrived at London, we have made enquiry into the seizure of goods belonging to Virginian Indian Traders (*v.* Feb. 2, 1709), and are informed that there was a law pass'd there, wherein a small duty was laid upon all skins that should be exported out of Carolina, which duty was laid for the support and maintenance of the Clergy, by virtue of which law some skins were stopt till the said duty was paid, but immediately upon the payment of the said duty they were discharged. We know of no law that prohibits any of the Queen's subjects trading in Carolina, but all H.M. subjects have the same liberty and freedom of trading there as any of the inhabitants. It shall be our constant care not to allow of any law to ye contrary. *Signed*, Craven Palatin, Beaufort, M. Ashley, J. Colleton, J. Danson. *Endorsed*, Recd. Read Aug. 9, 1709. 1 *p.* [*C.O.* 5, 1264. *No.* 76; *and* 5, 1292. *p.* 143; *and* 5, 289. *p.* 222.]

1709.
Aug. 8.
London.

683. Thomas Dummer to Mr. Popple. The *Sophia*, West India packett-boate, arrived at Fallmouth ye 4th of this month, 116 dayes in all. There is nothing of moment from thence, save yt. the trade on ye cost is totally spoyled by our privateers. *Signed*, Tho. Dummer. *Endorsed*, Recd. Aug. 8, 1709. *Addressed*. *Postmark*. 1 *p*. [*C.O.* 323, 6. *No.* 84.]

Aug. 9.
Barbados.

684. Governor Crowe to the Council of Trade and Plantations. I have not had the honour of any from you since my last of June 20. H.M.S. *Norwich*, *Greenwich*, *Burlington*, and *Hector*, with 30 mercht. men under their convoy, arrived here July 2nd, they load but slowly, by reason of ye litle quantity of sugar, so fear some of them will not be able to sail with H.M.S. *Weymouth* and *Larke*, whose time will be out, Sept. 2, by them I shall send your Lordps. all my dispatches. Everything is now very quiet here. By this packet I received H.M. directions about the Marshalsea of the several Courts, which shall be obeyed. *Signed*, M. Crowe. *Endorsed*, Recd. 15th, Read 28th Nov., 1709. 1 *p*. [*C.O.* 28, 12. *No.* 52; *and* 29, 12. *p*. 57.]

Aug. 9.
Whitehall.

685. W. Popple to Mr. Taylour. In reply to Aug. 6, encloses following. *Annexed*,

685. i. Council of Trade and Plantations to the Lord High Treasurer. *Propose* that a premium of £5 per head for every Palatine be given to any parish or particular person who shall be willing to receive or employ or otherwise provide for any family *etc.*; that the charge of conveying them thither be defrayed by H.M. *etc.* Hardly any parish will care to receive these poor people without some consideration, lest they should become chargeable to such parish in case of sickness, *etc.* [*C.O.* 389, 36. *pp.* 440-443.]

Aug. 10.

686. W. Popple to Sir James Mountague. Encloses 5 Acts of Pensylvania passed in 1705 (*see* Sept. 8) for his opinion in point of Law, as soon as may be, for that by the Charter the Queen is limited to declare her pleasure upon the Laws of that Province in 6 months after they have been laid before Her, *etc.* [*C.O.* 5, 1292. *p*. 144.]

Aug. 11.
Craven House.

687. Lords Proprietors of Carolina to the Council of Trade and Plantations. Application being made to us to give encouragement to some poor Palatines who had a mind to be transported and settled in Carolina, and we being willing to encourage the making of silk, planting of rice, vineyards, fruit and naval stores, came to these resolutions, vizt. (1) We will give them 100 acres of land a head for men, women and children, free from any quitt-rent for 10 years, and from thence forward to pay 1 penny an acre per annum; (2) If they will settle in towns now, or hereafter, to lett them land for building and improvement for the term of three lives or 99 years, which

1709.

shall first expire, at a pepper-corn rent, with their own liberty to renew in case the lives dye. *Signed,* Craven Palatin, Beaufort, M. Ashley, J. Colleton, J. Danson. [*C.O.* 5, 289. *p.* 223.]

Aug. 12. Whitehall. **688**. W. Popple to Col. Laws. The Council of Trade and Plantations having under consideration some matters relating to Jamaica, they are very desirous of speaking with you on Munday or Tuesday next, *etc.* [*C.O.* 138, 12. *p.* 433.]

Aug 13. Boston in New England. **689**. Governor Dudley to [? *the Earl of Sunderland.*] *Duplicate* of account given Aug. 16, of preparations for the expedition against Canada. *Prays* for his Lordship's patronage. *Signed,* J. Dudley. *Endorsed,* R. Oct. 1st. 2 *pp.* [*C.O.* 5, 9. *No.* 28.]

[Aug. 15.] **690**. Synopsis of the case of the three Suspended Councillors of Barbados, Messrs. Sharpe, A. Walker and Beresford. *Endorsed,* Recd. from Wm. Walker, Read Aug. 15, 1709. 2¾ *pp.* [*C.O.* 28, 12. *No.* 36.]

Aug. 16. Boston in New England. **691**. Governor Dudley to Mr. Popple. This is an adventure by a simple mercht. ship via Ireland. On April 29th arrived here Coll. Nicholson and Col. Vetch with H.M. most acceptable commands for the rayseing of 1200 of our best men for a descent upon Quebeck by sea, and 1500 for the land service to march by the way of Mont Real. The 1500 drawn out of New York, Connecticutt etc. are upon the death of my Lord Lovelace, at the united desire of all H.M. Governmts. put under the command of Col. Nicholson, and are some time since marched to the Wood Creek, the head of Mont Real Waters on the side of Albany, and have built themselves 3 forts and lodgemts. and have made ready boats and canoes sufficient to make their descent as soon as they shall be inform'd of our comeing by ye way of Canada River. H.M. commands repeated by the Earl of Sunderland arriv'd June 22. And the 1200 men from the Governments of the Massachusetts, New Hampshire, and Rhode Island have been in armes ever since May 20, well clothed and exercised every day from that time, and 22 transport ships, briganteens and decked sloops with 6 months provissions on board for their embarcation lye ready to sayle at 10 hours warning. We are in daily expectation of the fleet and forces from Great Britain. The season is very far advanced, and the winter begins early in those northern provinces, which makes us impatient of their delay least ye time be lost. I hope Col. Vetch will do H.M. Governors and all her good subjects of these Provinces the justice to represent their duty and readiness in everything for so important a service to the Crown, and the future establishment of these Colonies. I have always humbly represented to H.M. the unspeakable benefit to the British Nation to have all the North America in H.M. hands, of which there is now a very fair prospect, by ye favour of Almighty God, if the fleet and forces might arrive seasonably and in health. The

French privateers from the West Indies have much infested the Continent from Virginia to this place in the present summer, and have surprized several of our coasting provision vessels, notwithstanding all care and vigilance to observe and pursue 'em, some of which have very narrowly escaped our ships of war by the advantage of sayleing, being light slender vessells, and haveing Port Royal so near at hand to run in for shelter; which will always be a pest to this Country, whilst in the hands of the French. Sir, I am lately intimated from Governor Saltonstal that the Government of Connecticott have a memorial or complaint lying before H.M., referring to the Southern line of this Province drawn into question upon a contest arisen between their people of the town of Windsor and ours of the towns of Suffield and Enfield, which border on that line, the Windsor men haveing several times entred into the lands of those towns, and seized upon and imprison'd divers of the inhabitants, and carryed away the fruits of their labour; and upon tryals had within that Colony, their own Courts and Jurys have determined once and again in favour of our people, who have very much to plead for their just right and title to the lands controverted about; which they long since derived by grant from the Governmt. of this H.M. Province, who have from time to time made proposals and concessions to the Governmt. of Connecticott for a neighbourly and friendly accommodation of that matter. There is a memorial from the Council and Assembly of this Province relating to that affair in the hands of John Chamberlayne Esq. with direction to him upon a visit to yourselfe to acquaint you thereof, but not to make further use of it, unless anything offered from Connecticutt should come under consideration; which you'le please to intimate to him, if any such there be. The line in controversy was made by skilfull artists 20 or 30 years before Connecticut had a Charter, and the people of this Province hope H.M. will not give them away out of this Goverment, and will desire to be heard, my share in it will be only obedience. I shall send the years papers by a safe conveyance. *Signed,* J. Dudley. *Endorsed,* Recd. Oct. 1, Read Dec. 8, 1709. 2 *pp.* [*C.O.* 5, 865. *No.* 20; *and* 5, 913. *pp.* 82-86.]

Aug. 16. **692.** Mr. Solicitor General to the Council of Trade and Plantations. Opinion on the case of Robert D'Oyly (July 18). Petitioner is not capable of being guardian to his brother's children, as he asks, because the inheritance may descend to him, *etc.* There is the less occasion for H.M. interposing in this matter, because the children and their estates are put under the care of a Court of Justice; and the Laws of Virginia have made very good provisions for the benefit of orphans, *etc.* *Signed,* R. Eyre. *Endorsed,* Recd. 16th, Read 18th Aug. 1709. 1½ *pp.* *Enclosed,*

692. i. Mr. Popple's letter, July 27. [*C.O.* 5, 1316. *Nos.* 31, 31. i.; *and* (*without enclosure*) 5, 1362. *pp.* 411, 412.]

1709.
Aug. 17.
Boston.

693. Mr. Bridger to the Council of Trade and Plantations. The mast[*s*] cutt by Mr. Collins Factor are now more than 300, besides those left in the woods, wch. are a great many, all lying perishing and rotting, and are like so to do. Mr. Collins have not yet loaded one mast since I made the seizure of those masts, neither will he this year, his mast shipps being employed in the transport service, and impossible for them to be here this winter (there was one shipp loaded last year, but on Mr. Richard Eyton's account, wch. is since gone of) by the next many of those, if not all will be made unservisable to H.M. I most humbly pray your Lordshipps' leave to dispose of those masts that are now under seizure, before they are wholly spoyled, or so many as will reimburse me of the sume I layd before my Lord Treasurer, and for my travailing charge. I have not received your Lordshipps' answers about a deputy. One person cannot preserve all the woods, on the whole frontiers, the inhabitants thereof living cheifly on geting loggs *etc.* *Signed,* J. Bridger. *Endorsed,* Recd. Oct. 1, Read Dec. 9th, 1709. $1\frac{3}{4}$ *pp.* [*C.O.* 5, 865. *No.* 29.]

Aug. 19.
Whitehall.

694. Council of Trade and Plantations to the Queen. *Enumerate* complaints against Governor Crowe and his proceedings tending to delay an enquiry into them, as stated by Messrs. Sharpe, Walker, Beresford, Cox and Pilgrim. As in the meantime your Majesties' subjects may suffer by a continuance of the administration of that Government in the hands of one against whom there are so many other great complaints, we humbly represent. (1) That ye said Governor has taken upon himself out of Court to set aside orders solemnly made in ye Court of Chancery. *Quote case of* Manasses Gilligan, *etc.* (2) Ye Governor has rented out the office of his private Secretary for an excessive annual summ greater than the legal fees would amount to, and ye better to enable his Secretary to pay his said rent, fees were exacted from plaintiff and defendant, and ye Governor took sole cognizance by way of petition of matters cognizable only in your Majesties Courts of Law and Equity *etc.* *Quote* cases of Summers, Bamfeild and Waterman *etc.*, and *refer* to Representation concerning Alexander Skene, April 10. *Quote* cases of Summers, Bamfoile and Waterman, *etc.* (3) While suits have been depending in ye Courts of Chancery, Error and Grievances, the Governor has received considerable presents from partys concerned in such suits, as in ye case of Mr. Slingesby, Mr. Chamberlain and Mr. Gibbes and others, which practice hath drawn his justice very much in question. (4) The Governor hath taken upon him to imprison Mr. Buckworth, sole judge of yr. Majesties Court of Admiralty there, for supposed contempt in not obeying illegal orders made by him as ordinary *etc.* (5) The Governor has also imprisoned your Majesties subjects for suggested contempt of his extra judicial orders, has kept them in prison without bayl or mainprize till they have been necessitated to lay down offices of profit, thereby taking an opportunity of conferring ye said places upon his creatures, as in ye case of Mr. Small and Paul Manier. (6) He has obliged Masters of ships to have their petitions to him for leave to sail drawn by his private Secretary, even when they had their petitions already drawne by others, so that they have doubly payd for the same, which is a burthen upon trade. (7) This they say may be proved by Masters of ships that were then there. *Refer* to representation of February 18, 1709. (8). By frequent and unusual adjournment of ye Assembly to prevent their complaints of ye Governor's undue administration, the Excise Bill for 1708 was not renewed till several months after the expiration of ye former, during which time a considerable quantity of liquors was imported without paying the dutys. (9) The Governor has made many and unreasonable changes in the Militia in turning out the best qualifyd Officers of the Island, and granting commissions to others to serve his private ends. *etc.* There are several other articles which have been in like manner proved. Upon the whole matter, it appearing that the Governor has been guilty of such high crimes and male administrations as are contayned in ye severall articles of complaint against him, and in regard he is involved in many lawsuits there in right of his wife, which have had an influence upon him in the administration of justice, to which we must add that he has not payd that due obedience to your Majesties express comands as he ought to have done, wee do therefore humbly submit it to your Majestie whether a person under such circumstances is to be any longer intrusted with the administration of your Majesties Government of that Island. *Set out,* A.P.C. II. *pp.* 577-581. *q.v.* [*C.O.* 29, 12. *pp.* 13-19.]

Aug. 20.
Windsor.

695. The Queen to Governor Crowe. Instructions in the case of Bentley and for the removal of Downes, as in Order in Council Aug. 8, 1709. *Countersigned,* H. Boyle. [*C.O.* 5, 210. *pp.* 164-166; *and* 319, 1. *pp.* 105-107.]

Aug. 22.
Windsor.

696. Order of Queen in Council. Upon reading Representation of Aug. 19, ordered that Governor Crowe be instructed to come over without delay, to make his defence before H.M. in Council upon the severall complaints against him, and that the complainants be at liberty to take such proofs and depositions upon oath before such Judge or Chief Magistrate as they shall think fitt, to be transmitted under the seal of the Island, *etc.* *Signed,* John Povey. *Endorsed,* Recd. 15th, Read 25th, 1709. 1 *p.* [*C.O.* 28, 12. *No.* 44; *and* 29, 12. *pp.* 35, 36; *and* 319, 1. *pp.* 101-104.]

Aug. 22.
Windsor.

697. Order of Queen in Council. Upon Representation of July 25, the Governor of Virginia is to allot lands to the Switzers from Berne, as therein recommended. *Signed,* John Povey. *Endorsed,* Recd. 5th, Read 10th Nov., 1709. 1 *p.* [*C.O.* 5, 1316. *No.* 36; *and* 5, 1362. *pp.* 431, 432.]

1709.
Aug. 22.
Windsor.

698. Order of Queen in Council. Referring following to the Council of Trade and Plantations for their report. *Signed,* Chris. Musgrave. *Endorsed,* Recd. 16th, Read 17th Nov. 1709. 1 *p.* *Enclosed,*

698. i. Norman Mackaskell to the Queen. Governor Crowe has not obeyed H.M. Order in Council Feb. 27 last (*q.v.*), but has ordered petitioner to be tried at a Court of Grand Sessions for the same matters, and has superseded several J.P.s out of the Commission of the Peace, thereby to expose him to greater hardships at his trial, *etc.* *Copy.* 2½ *pp.* [*C.O.* 28, 12. *Nos.* 47, 47.i.; *and* 29, 12. *pp.* 49-51.]

Aug. 24.

699. Col. Laws to the Council of Trade and Plantations. If a good number of Palatines are sent to settle and plant in Jamaica, they will save the Crown the charge of keeping standing forces there in time of war, increase the customs, navigation and trade. To do that, transport ships must be provided, that they may be free so soon as they set foot on shore in that Island, and enjoy all the priviledges in common with the present settlers there and be subject to and governed by the same Laws. That so much land be assigned for their use as will afford 5 or 6 acres a head, for every person in each family, and granted them from the Crown in fee to them and their heirs for ever. To that end I propose that all that tract of land, with a salvo to those already settled betweene the North East of Rio Grandy and the South East of Port Morant. And that the harbour of St. Anthony be made a port of entry. For the immediate reception of those people it will be necessary that Lynches Island, att the mouth of St. Anthony, which makes two good harbours and contains about 60 or 80 acres, be recommended to the present inhabitants of Jamaica to fall and clear all the wood and build small thatch'd houses and hutts for them to dwell in untill they can fix themselvs on their own land and freehold. From this harbour the windward passage to England is easily gained, and may be practiced all the year round, and planting, which is the mother of trade, may be improved in Jamaica to the loading 1,000 or more ships yearly. It will be needfull for those people to have £8 or £10 a head given them in money to purchase cloths, bedding and tools, such as hoes, bills, axes, nails, locks and keys, and many other usefull things for them to begin with, and that every man may have a gun given him with about 10lb. of powder and shott in proportion for their defence and use. That they be encourag'd to settle in partnerships, as 3 or 4 to joyn in one plantation, so that one may be hunting, fishing or fowling while the rest are falling and planting the land. This land is all in wood and will afford the labourers boards, plank timber, staves and heading for suggar hogsheads, which will yeild ready money at Port Royal or Kingston at all times, besides peimento or fusteck wood for merchandize, which naturally comes in their way. And in 18 months or 2 years the ground so clear'd and planted will

1709.

produce quantities of ginger, cotton, indigo, tobacco, annotto, rice and other commodities. As for sugar, it is indeed a work of longer time and great expence, but that will follow at last, and as the people grow able to purchase negroes and cattle. Those people, once settled in that part of the country, will effectually secure both the North and South side of that Island from any great attempt of the enemy, and they being once got on the improving side, and well settled in planting, will quickly reimburse the Crown and nation to advantage, not only by the consumption and use of English goods but the customs arising on their produce, which may in 8 or 10 years amount to £16,000 or 20,000 per ann. in customs to H.M. and advance yearly in some degree besides the benefit of freight comission to merchants, and many other proffits. As for instance this year, 1709. The custom freight comission and petty charges of 1 hhd. of sugar is about £7; on 1000 of ginger about £7-10-0; on 100 of indigo about £3-10-0; on 100 of cocoe about £3-10-0. And all other comodities of the West Indies comes within the same, or such like estimates of advantage to the nation, besides the proffit to the planter or importer, which all centers att last in England. It may be objected how shall the Crown be reinvested in that tract of land proposed to be given to those people, since the greatest part thereof is already granted by Letters Patents to others. And it is very true most of it is in such proprietors' hands as have had it 20 or 30 years and never made the least stepp toward settling it, and seldom if ever paid the quitt-rent, to the great injury and loss of the publique and revenue, and without any advantage to themselves as time and experience has too fattaly made appear. Soe that it may be presumed if no other way can be found to reinstate the Crown in those lands, that the present owners will for so great a good freely resigne ⅔ or ¾ of each grant, especially when they consider that what remains will be of ten times greater value by those people settling there, then the whole can ever be without them. But in case this method, or something like it, cannot be accomplished, as I am fully perswaded it may, from a sence of their own interest and the general good, then the Government of that Island should have directions to recommend them to and distribute them in the severall remote parishes, as St. Elizabeth, Westmoreland, St. James, St. Anns, St. Mary's and St. Georges, where the people are thynly settled and land enough to entertain great numbers, and much wast in the Queene's gift, and no doubt the planters will gladly receive them, and not only give them land, but help them to settle, as indeed 'tis their interest so to doe, for they know they want nothing but numbers of white people and neighbours to make them as happy and rich as any in the world. Otherwise those people may be for some time subsisted on the deficiences as the souldiers are now, while they can provide for themselves or be otherwise settled by the Country. But this way or the other must be in a great measure referred to the Governour, Councill and Assembly, and the people must be assured of the money

1709.

and other encouragements above proposed. And it would be convenient some English or Scotch were mixt with them on the same foot and encouragement. I am told there is a Law to oblidge every body to pay their quitt-rent within a certain time therein exprest, or the land shall be forfeited and returne to the Queene. And perhaps much has fallen upon that foot, but then great care should be taken in the regranting it, and that settling and planting be the cheif condition, els it will run into the same evil they intended to rectify. And it may be confidently affirmed that unless some such expedients as these be putt in practice, and this oppertunity of sending the Palatines and others promoted, that Island which alone is capable of makeing England rich, must sinck to be lost. And then farewell all the advantages the Nation has in the Spanish West Indies, either in peace or warr. *Endorsed*, Recd. Read Aug. 24, 1709. 2¾ *pp.* [*C.O.* 137, 8. *No.* 47; *and* 138, 12. *pp.* 434-439.]

Aug. 25. Whitehall. **700**. Council of Trade and Plantations to the Queen. Recommend, upon Sober's petition, July 25, that Governor Crowe be instructed to transmit his answer and proofs to a Secretary of State, and in the meantime that Sober be allowed to return to Barbados without any further molestation, *etc.* *Set out*, A.P.C. II. *pp.* 607, 608. [*C.O.* 29, 12. *pp.* 20-22.]

Aug. 29. Whitehall. **701**. W. Popple to W. Lowndes. Encloses extract of Col. Ingoldesby's letter, July 5, relating to the minister's salary at New York. [*C.O.* 5, 1121. *p.* 386.]

Aug. 30. Whitehall. **702**. Same to Josiah Burchett. Encloses extract and enclosures from Col. Ingoldesby's letter, July 5, relating to the pressing of seamen, for the Lord High Admiral's information. [*C.O.* 5, 1121. *p.* 387.]

Aug. 30. **703**. Mr. Attorney General to the Council of Trade and Plantations. I have no objection to make to the 5 Acts of Pensilvania (*v.* Aug. 10) *etc.* *Signed*, Ja. Mountague. *Endorsed*, Recd. Aug. 30, Read Sept. 2, 1709. 1 *p.* [*C.O.* 5, 1264. *No.* 77; *and* 5, 1292. *p.* 145.]

Aug. 30. Whitehall. **704**. Council of Trade and Plantations to the Lord High Treasurer of England. In our proposal to your Lordship of Aug. 9 for the speedy settling or disposing of the poor Palatines, we mentioned the having under our further consideration how the same might be done, and having accordingly applyed our thoughts to the perfecting so good and necessary a work, and having reconsidered our Report of Aug. 3 to H.M. Commissioners for the settlement of the said Palatines, we now take leave further to propose; that they be transported at H.M. charge to Lynch's Island, at the mouth of St. Antonia River, there to continue till they shall be settled on the Island of Jamaica, in the manner herein proposed, and that the harbour St. Antonio be made a port of entry. That to prepare the said Lynch Island for their reception H.M. royal pleasure be signifyed to the Government of Jamaica, to recommend it in the most effectual manner to the Councill and Assembly, by some Law to be forthwith pass'd there, to make provision for the clearing the ground and building of hutts on Lynch Island sufficient for such number of the said Palatines as shall be sent thither. This as we are informed, may be done without any great charge, and therefore have reason to beleive the present inhabitants will readily agree to it on account of the great benefit they will receive by this increase of people, as well in regard to their trade as to the security of that Island. It is agreed that Lynch Island being the property of Mr. Cotton as heir to Sir Thomas Lynch, this cannot be done without his consent, but we presume there will be no difficulty in obtaining it for this use, since that Island is not, or ever was of any benefit to him, whereas by what is now proposed he may expect a considerable improvement of his estate in that part of Jamaica where these poor people are to be settled. If a Law cannot be procured there for clearing the ground and building hutts on Lynch Island, nor the inhabitants be willing to undertake that work freely at their own charge, in such case if H.M. shall be pleased to bear the expence thereof, we are informed that it will not exceed the rate of £3 per acre for clearing the ground, which were the whole Island consisting of about 80 acres to be cleared, will not amount to above £240, nor can the building of a sufficient number of hutts, where there is such plenty of timber, add much to the expence. And as to the number of acres to be clear'd or hutts built, if done at H.M. charge, we are of opinion it may be left to the Governor and Councill to direct the doing thereof, with regard and in proportion to the number of Palatines to be sent thither. This being only a provisional or temporary lodgment proposed for them till they can conveniently be settled on the Main Island of Jamaica, in order thereunto we further propose that within the tract of land lying between the North East of Rio Grande and the South East of Port Morant, a sufficient number of acres (not already seated) be granted under the seal of the Island to the said Palatines and their heirs for ever, not exceeding 6 acres per head for every person in each family, which proportion of acres we conceive may, when cultivated be a reasonable maintenance for them, by the produce of ginger, cotton, indigo, anotto, rice and other commodities, not to mention the present proffit that will arise upon clearing those lands, by boards, plank timber, staves and heading for sugar hoggsheads, which will at any time yeild ready money at Port Royal or Kingston, and from peimento or fustick wood for merchandize. As for sugar, the produce thereof is a work of time and great expence, yet they may fall into it as they grow able to purchase negroes and cattle. Such a settlement will effectually secure the North and South side of that Island from any attempt of an enemy, and when those people are well settled in planting, they will soon reimburse the Crown and this nation, as well by their consumption of Brittish manufactures, as by the duties arising on their produce, which after 8 or 10 years may be a considerable increase of the customes, besides the benefit of navigation, *etc.* *Quote* Customs etc. for 1709. *Cf.* Aug. 24. It may be objected that the greatest part of that tract of land is already granted by letters patents to others. To which we answer, 'tis true that the same is at present in the possession of such proprietors who have held it for 20 or 30 years past without making the least step towards settling it, and seldome if ever paid the quit rent, to the great injury and loss of the publick and of H.M. Revenue there, and without any benefit to themselvs. So that (not to have recourse to any other method for revesting those lands in the Crown) it may reasonably be presumed that the present owners will for so great a good freely surrender to the Crown ⅔ or ¾ of the lands so granted to them, especially when they consider that what remains will be of a much greater value from such a settlement than the whole is like to be without it. But in case they shall not comply herein, then we propose that the Governor and Councill be directed to recommend ye said Palatines to be distributed throughout the several remote Parishes, as St. Elizabeth, Westmorland, St. James', St. Ann's, St. Mary's and St. George's, where, the people being thinly settled, there is land enough to receive great numbers of them, and a considerable quantity of waste land in H.M. gift, and there is reason to beleive that the Planters will not only receive these Palatines and give them land, but help them to settle it, as 'tis their interest so to do, they being sensible how much they want numbers of white people in that place. On this occasion we take leave to observe that, by a Law of Jamaica made in 1682, every Master of slaves, for the first five working slaves, is obliged to keep one white working manservant, overseer or hired man for three months at the least, for ten slaves two whites, and for every ten slaves over and above the said number one white to be resident on the Plantation where the negroes are imployed, on penalty of £5 for every servant that shall be wanting. Which Law, being not complyed with by many of the said Masters, such of them as are deficient in their respective proportions of white men are compelled to quarter a soldier belonging to H.M. regular forces in that Island for every white man he wants of his quota, or else to allow to every such soldier 5/- per week. Wherefore we take leave to offer it to your Lordship's consideration, whether as a temporary provision for these Palatines or for a good number of them, till they shall be otherwise settled, it may not be proper to recommend it to the said Governor, Councill and Assembly to subsist them on such deficiencies whereon soldiers are not already charged. And whereas great tracts of land have been granted by the Crown to persons who have neglected to seat or plant the same to the great prejudice of that Island, for prevention of the like mischeif for the future, it will be necessary that in every grant to be made to the

1709.

said Palatines or to any other persons, there be an express proviso that the lands so granted shall be seated and planted within a reasonable time to be therein prefixed, or on failure thereof, such grant to be void and the lands to revert to the Crown. It will be requisite that these poor people, before they begin their voyage, be supplyed with convenient cloathing, bedding and tools, viz., hoes, bills, axes, nails, locks and keys and such like utensils, the charge of which is computed at about £8 or £10 per head. Beside which it will be necessary that every man have a gun, with about 10lb. of powder and a proportionable quantity of shot for his defence and use, and that they be encouraged to settle in partnership, that is, three or four families on one Plantation, whereby some may hunt, fish or fowl, while others clear and plant the land. In regard they will not be able to maintain themselvs out of the produce of their labour till 12 or 18 months after the clearing and planting of the ground, it will be necessary that such of them as shall not be placed on deficiencies or otherwise provided for as aforesaid, be subsisted at the rate of £5 per head, which charge or a great part thereof, may reasonably be defrayed by the inhabitants, in consideration of the great benefit that will accrue to that Island by such settlement, particularly in gaining the Windward passage to Great Britain, which may be made at any time of the year, and consequently the trade from thence very much facilitated and increased. While these Palatines are at Lynch Island, the passage over the mainland is so small that they may easily be supplyed with provisions and other necessaries for their subsistence and may frequently cross over and help to clear the land, on which as 'tis cleared, they may by degrees seat themselvs. And for their further encouragement thereto, it will be necessary that the Governor be directed upon their arrival to grant them letters of naturalization without fee or reward, that may enjoy all such priviledges and advantages as are enjoyed by the present inhabitants of Jamaica. In this manner we hope those poor people, or a considerable number of them, may be disposed of and settled to the benefit not only of Jamaica, but of the trade of this Kingdom, the persons themselvs gain a comfortable livelyhood by their industry, the Crown eased of that heavy charge it is now at in the subsisting of them and reap a considerable advantage by the increase of the customs. [*C.O.* 138, 12. *pp.* 440-448.]

Aug. 30. Whitehall. **705**. Council of Trade and Plantations to the Lord High Treasurer. In case the *above* proposal be not approved, tho we do not at present foresee any objections but what may arise from the greatness of the charge (which nevertheless we have lessned all we can), or if it shall not be thought convenient to settle the whole number of the poor Palatines in Jamaica, we offer to your Lordship's consideration, that such of them as shall not otherwise be disposed of, may conveniently be settled upon Hudson's River, New York, where H.M. has very large tracts of waste lands. In order whereunto we further

1709.

propose that they be transported thither at H.M. charge, which for so great a number, partly made up of small children, may be done at between £3 and £4 a head, one with another. That they be supplied here with all necessary tools for husbandry, and with nails and hinges and other iron work for building their timber houses, to enable them to begin and make settlements, which emptions may be computed at 40/- per head, as in the case of the poor Palatines sent to the same place the last year. That the Governor or Commander in Chief of the said Province be directed, upon their arrival there, to grant unto every one of them, under the seal of that Province, without fee or reward, the usual and like number of acres as was directed to be granted to every one of the Palatines lately sent thither upon the like terms, *etc.* But as these people are very necessitous, they will not be able to subsist there till they can reap the fruit of their labour (which will not be till after one year) unless assisted by H.M. bounty; for we doubt there is little relief to be expected from the inhabitants of that Province under its present circumstances, and therefore these poor people must depend on H.M. royal bounty for their subsistance for one year after their arrival in New York, which charge may be computed at about £5 per head. Further, we propose that before their departure they be made denizens of this kingdom, that they may enjoy all the priviledges and advantages as are enjoyed by the present inhabitants of New York accruing thereby. It may be objected that, should these people be settled on the Continent of America, they will fall upon woollen and other manufacturies to the prejudice of the manufactures of this Kingdom now consumed in those parts. To this we answer, that the Province of New York being under H.M. immediate Government, such mischievous practice may be discouraged and chequed much easier than under any Proprietary Governments on the said Continent, as has been found by experience; and, as a further provision against any such practice, a clause may be inserted in the several patents so to be passed to the said Palatines, declaring the same to be void, if such patentee shall apply himself to the making the woollen or such like manufactures. If it be thought advisable that these poor people, or any number of them, be settled on the Continent of America, we are of opinion that such settlement, especially if made at H.M. charge, should be in Provinces under H.M. immediate Government, and we know no place so proper as Hudson's River on the frontier of New York, whereby they will be a good barrier between H.M. subjects and the French and their Indians in those parts, and in process of time, by intermarrying with the neighbouring Indians, (as the French do), they may be capable of rendring very great service to H.M. subjects there, and not only very much promote the fur trade, but likewise the increase of naval stores, which may be produced in great plenty at New York, wherein Mr. Bridger may be directed to instruct them. Lastly, we take leave to observe that in Virginia and some other parts of the said Continent, where the air is clear

1709.

and healthfull, wild vines do naturally grow and afford plenty of grapes, which, if cultivated and improved by husbandry, would produce good wines. Wherefore, if some of these Palatines, who are vine dressers, were settled there and imployed in that sort of husbandry, a new and proffitable trade might be introduced to the benefit of this Kingdom. [*C.O.* 5, 1121. *pp.* 387-391.]

Aug. 31. Whitehall. **706.** Mr. Popple to Mr. Lowndes. Encloses extract of Mr. Byerley's letter, June 30, complaining of Col. Ingoldesby's proceedings against him in relation to the payment of salary to the Lord Cornbury, *etc.* [*C.O.* 5, 1121. *p.* 397.]

Aug. 31. Maryland. **707.** Council of Maryland to the Council of Trade and Plantations. On July 30th last it pleased Allmighty God to take away our Governour, Col. John Seymour, after a long lingring indisposition of a continued feavour, *etc.* Pursuant to H.M. Commission to him, wee have taken upon us the execution of the Government, *etc.* *Signed,* Edwd. Lloyd, Wm. Holland, Will. Coursey, Tho. Ennalls, Sam. Young, Tho. Greenfield, Cha. Greenberry, Jno. Hall. *Endorsed,* Recd., Read Dec. 20, 1709. 1 *p.* [*C.O.* 5, 717. *No.* 1; *and* 5, 727. *pp.* 158, 159.]

Sept. 1st. Whitehall. **708.** Council of Trade and Plantations to the Earl of Sunderland. Enclose Address from New York to H.M. relating to the expedition against Canada. [*C.O.* 5, 1121. *p.* 397.]

Sept. 2. Barbados. **709.** Governor Crowe to the Council of Trade and Plantations. Encloses papers. By that of the Chancery your Lordps. will perceive nothing is depending there that was ripe for a hearing, and I have taken such care of the Magazine stores that there is now a good stock of powder. All the lower Courts have been kept very exactly, only St. Michael's, by reason of the smal pox rageing in the Bridge Town was (for want of assistants) sometime adjourned. Since my arrival (blessed be God) all provisions has been very plenty, and the Island in general more healthy than for many years before, as your Lordps. may observe by the lists of births and burialls, there being an increase thereby. That of the Martineco inhabitants, I had from a good hand. The Indians on St. Vincents, St. Lucia and Dominico continue very quiet under H.M. protection. H.M.S. *Burlington* and *Hector* are now a-cruising off those Islands. By my last Speech to the General Assembly your Lordps. will find how pressingly I have recommended the Provost Marshalls affair to them, and the raising money for repairing of the Forts etc., which indeed very much want it. The account of the Publique Revenue is not yet all stated. I have often sollicited for the frequenter attendance of that Committe, which they now promise. It being contrary to my Instructions to permit any single vessell without H.M. express orders to saile for Europe, Capt. Bushel under pretence of wanting sugars to fill his ship, petitioned me for leave to go to Antego to com-

1709.

pleat his loading, on which I granted the prayer of said petition, provided he gave in bond to touch there, that H.M. Instructions might be observed, which I perceive by the deposition he makes a complaint of. Capts. Legge and Norburry, H.M.S. *Weymouth* and *Larke*, have been so insolent in their behaviours and breach of orders here, that the Council and Assembly have ordered their Agents to represent the same to your Lordps. and my Lord High Admiral. *Signed*, M. Crowe. *Endorsed*, Recd. 15th, Read 28th Nov. 1709. 1¾ *pp.* *Enclosed*,

709. i. Bond of Capt. Bushell and Henry Adamson that the *Laurel* shall touch at Antego, etc. *as described in preceding. Endorsed*, Recd. Nov. 15, 1709. *Copy.* 1 *p.*

709. ii. List of causes pending in the Court of Chancery, Barbados. Aug. 25, 1709. *Same endorsement. Signed*, Tho. Hide, Dep. Reg.

709. iii.-vii. List of causes determined in the Courts of Common Pleas, Barbados, Aug. 1708—1709. Names given. *Same endorsement. The whole*, 62 *pp.*

709. viii. List of baptisms and burials, Barbados, Aug. 1708—9, by parishes; *Total*;—Baptisms, 434; Burials, 345. *Same endorsement.* ½ *p.*

709. ix. Account of negroes imported from Guinea, June 24, 1708—Aug. 1, 1709. 6 ships imported 1293 negroes. *Signed*, Saml. Cox, Naval Officer. *Same endorsement.* ½ *p.*

709. x. List of the inhabitants of Martineque, with their slaves, horses, cattle and sugar-works, Jan. 1, 170⅛. *Totals*:—Men, 1481, boys 2312, women, 1593, girls, 1738, slaves, 20,282, soldiers, 150, etc. *Same endorsement.* 1 *p.*

709. xi. Account of prizes and seizures condemned in the High Court of Admiralty, Barbados, established since Aug. 1708. 7 ships. *Signed*, Stephen Alexander, Regr. Cur. Admiral. *Same endorsement.* 1 *p.*

709. xii. Account of stores of war, Barbados, Jan.-July 1, 1709. *Same endorsement.* 2 *long strips.*

709. xiii. Act of Barbados for adjourning the General Sessions, June 4, 1709. *Same endorsement. Copy.* 1¼ *pp.* [*C.O.* 28, 12. *Nos.* 53, 53. i.-xiii.; *and* (*without enclosures*) 29, 12. *pp.* 58-62.]

[Sept 2.] **710.** Account of money disbursed by Governor Lord Lovelace on behalf of the German Protestant Immigrants, and now due to Lady Lovelace. *Total*, £202-17-8. *Signed*, Joshua Kocherthall, Herman Schuneman. *Endorsed*, Recd. Read Sept. 2, 1709. 2 *pp.* [*C.O.* 5, 1049. *No.* 111.]

Sept. 2. Whitehall. **711.** Council of Trade and Plantations to the Queen. It not appearing whether the warrant revoking Col. Ingoldesby's Commission as Lieut. Governour of New York (*v.* April 8 and 11, 1706) was signed by your Majesty and sent, or no, we forbear transacting with him till we receive your Majesty's pleasure, *etc.* *Set out,* N.Y. Docs. V. 89. [*C.O.* 5, 1121. *pp.* 398, 399.]

Sept. 3.

712. Lady Lovelace to the Council of Trade and Plantations. In spite of Col. Ingoldsby's bullying and hectoring endeavours to seize papers entrusted to me by Lord Lovelace for Lord Sunderland, and to prevent my sailing, I did at midnight get the trunk of papers and myself on ship-board, etc. The expenses we were at amounted to above £2000 more than he received at New York, which was not above £400. *etc.* *Set out,* N.Y. Docs. V. 89. *Signed,* Lovelace. *Endorsed,* Recd. 3rd, Read 5th Sept., 1709. *Holograph.* 2 *pp.* [*C.O.* 5, 1049. *No.* 112; *and* 5, 1121. *pp.* 399-401.]

Sept. 3.
Craven House.

713. Commission and Instructions of the Hon. Charles Craven to be Secretary of South Carolina. *Signed,* Craven Palatin, Beaufort, Craven for ye Ld. Carteret, Maurice Ashley, John Danson, M. Ashley for Jos. Blake, J. Colleton. [*C.O.* 5, 289. *pp.* 226-228.]

Sept. 5.
Windsor.

714. Order of Queen in Council. A warrant is to be prepared revoking Col. Ingoldesby's Commission as Lt. Governor of New York (*cf.* Sept. 2, 1709). *Signed,* John Povey. *Endorsed,* Recd. 15th, Read 25th Oct. 1709. 1 *p.* [*C.O.* 5, 1049. *No.* 126; *and* 5, 1121. *pp.* 435, 436.]

Sept. 5.
Windsor.

715. Order of Queen in Council. John Sober to have leave to return to Barbados *etc.,* as recommended Aug. 25. *q.v.* *Signed,* John Povey. *Endorsed,* Recd. 15th, Read 25th Oct. 1709. 1¼ *pp.* [*C.O.* 28, 12. *No.* 43; *and* 29, 12. *pp.* 34, 35.]

Sept. 6.
Whitehall.

716. Council of Trade and Plantations to the Queen. *Representation* upon seizure of goods by the Government of South Carolina, belonging to Indian traders of Virginia. The trade ought to be left free and open to Virginia. *Propose* that the Government of Carolina be instructed not to levy any duty upon goods carried by Virginia Indian traders to the Western Indians, and that the Governor be required to return the bond extorted in this case from them, etc. *Set out,* A.P.C. II. *pp.* 610-613. [*C.O.* 5, 1362. *pp.* 415-419.]

Sept. 8.
Whitehall.

717. Council of Trade and Plantations to the Queen. In obedience to your Majesty's Order in Council, April 28th last, referring to our examination a Collection of Laws passed in Pensylvania, 1705, by Lt. Governor Evans, we have consider'd the same. There are some which are unfit to be continued in force, vizt. (1) An Act *against riotous sports, plays and games,* which was repealed Feb. 7, 170$\frac{5}{6}$ for the reason then given, that it restrains your Majesty's subjects from innocent sports and diversions. If the Assembly shall pass an Act for preventing of riotous sports and for restraining such as are contrary to

1709.

the Laws of this Kingdom, we shall have no objection thereunto. (2) An Act *limiting the presentments of the Grand Jury.* Liable to the same objection as the Act repealed Feb. 7, $170\frac{5}{6}$. (3) An Act *for the further securing the administration of the Government of this Province,* which enacts that upon the death or absence of the Lt. Governor, and in the absence of the Governor in Chief, the President with 5 Members of the Council may take upon them the Governmt. of that Province, with as full power and authority as any Lt. Governor, by which means your Majesty's approbation of a Lt. Governor may be eluded, at least so long as the Proprietor shall think fit to continue the Government in the hands of the President and Council, and therefore we are humbly of opinion that this Act likewise be repealed. (4) An Act *for the acknowledging and recording of deeds.* By a clause in this Act it is provided that no woman shall recover her dower or thirds of any lands or tenements, which have been sold, alien'd or convey'd by her husband during her coverture, altho' she be no party to the deed, nor anyways consenting to the sale or assurance of such lands or tenements, which we think unreasonable, and repugnant to the Laws of this Kingdom. (5) An Act *directing the qualification of magistrates and officers, as also the manner of giving evidence.* The objections to this Law have already been stated. (6) An Act *for the better proportioning the rates of mony in payment made upon contracts according to the former regulation.* An Act having been pass'd here *for ascertaining the rates of foreign coins in H.M. Plantations,* we humbly offer that the foregoing Act be repealed. As to the other of the Pensylvania Laws referr'd to us, we have no objection against the same, so that in case your Majesty do not see cause within 6 months from their having been presented to your Majesty in Council (which was on April 28) to repeal any of them, they will remain in full force, pursuant to the Charter of Propriety, granted to Mr. Penn. Upon this occasion we humbly take leave to represent to your Majesty that by the said Charter Mr. Penn is impowered, with the advice of the Freemen of that Province, or their delegates in Generall Assembly, to enact Laws for the good of the said Province, under a proviso, that such Laws be not repugnant or contrary to, but so far as conveniently may be agreable to the Laws of this Kingdom; as also that a transcript of such Laws be within five years after the making thereof delivered to your Majesty's Privy Council, and that if any of the said Laws within the space of 6 months after they shall be so deliver'd, as aforesaid, be declared by your Majesty to be void, the said Laws shall thenceforth become null and void accordingly; otherwise to remain in full force. This we think unreasonable, that Mr. Penn should have 5 years time to lay his Laws before your Majesty, and your Majesty but 6 months to consider thereof; for it may so happen, as in the present case, that so great a number of Laws may at one time be transmitted, as that it will be difficult if not impossible, considering the other business that may intervene, to examine the same as they ought

1709.

to be. We further take leave to observe, that in none of the Acts of this Province, there is any clause for renouncing the Pretender, or declaring their allegience to your Majesty, and therefore we humbly offer that your Majesty be pleased to signify your pleasure to Mr. Penn that he endeavour to get a Law pass'd for that purpose. *List of* 44 *Acts annexed.* [*C.O.* 5, 1292. *pp.* 146-154.]

Sept. 8.
Whitehall.

718. William Popple to William Penn. The Council of Trade and Plantations having gone through the examination of the Pensylvania Laws, intended to have spoke with you on Tuesday last, but upon enquiry they found you were out of town, and they being pressed in point of time to lay the said Laws befor H.M., which they did this day, with their opinion that several of them be repealed, I believe there will be no Council till the 19th inst., at least I hear so. This I thought necessary to acquaint you with. [*C.O.* 5, 1292. *p.* 155.]

Sept. 8.
Craven House.

719. Warrant of the Lords Proprietors of Carolina to the Hon Christopher de Graffenried for 10,000 acres of land, at a quit-rent of 5/- per 1000, he having paid us a competent sum and fully satisfy'd us of his intention to carry over into North Carolina a considerable number of poor Palatines, for the better improving and planting that part of our said Province, *etc.* *Signed,* Craven Palatine, Beaufort, M. Ashley, J. Colleton, J. Danson. [*C.O.* 5, 289. *p.* 229.]

Sept. 8.
Spanish Town.

720. Governor Handasyd to the Council of Trade and Plantations. *Acknowledges* duplicates, and H.M. Privy Seale of April 2, 1709, in relation to one Mr. Jones, a marchant, wherein I am ordered to give an acct. of the proceedings of the Grand Court touching that affair, all that I can find of the matter is that that land has been patented by Robt. Norris, who has been dead this five or six and twenty years, and dyed without either will or heire that ever we heard of, till Mr. Jones two years agoe made pretentions, neither had Mr. Jones nor anybody else dureing that time (that ever was heard of) any goods or chattles upon that land to distrain for H.M. quit-rent; neither doe I believe that either Mr. Jones or anybody else (except H.M.) has any pretentions to it; but if he or his Agent pays the Queen's Quit-rent, according to the Act of the countrey, the Receiver Generall will be ready to recieve it; I doe think it is very hard that they who faithfully serve H.M. cannot by any means come at there just due, as myself who is £2700 behind in my sallery as Governor, and does not know where to get a groat of it, and severall others that's considerably behind; and as to the great perquisites, anybody should have had mine for £50 a year ever since I've been in the Governmt.; However I hope some other Gentleman will soon enjoy the same; As to ye affairs of the Island, Mr. Wager designes to saile very soon with three men of war and severall marchantmen, he leaves here 5 men of war, 3 of which has not above 330 men to man the

1709.

3, so yt. we have onely the *Crown* and *Portsmouth* to depend upon; The Spaniards has an acct. of a large French squadron, who designes for this Island, but the truth of which I am a stranger to, and beleives your Ldships. will be better informed then I can here; I need not acquaint your Ldships. of our circumstances in case we should be attackt, however I hope we shall show ourselves to be ffaithfull servants to our gracious Queen and Countrey, but doe not believe we are capable of doeing maracles. I enclose two abstracts of some Spanish letters, which was intercepted by a privateer, which gives us an acct. what damage our English ships has done in the South Seas. I have sent a copy of the same to the Earle of Sunderland, and another to my Lord Godolphin; I hope my last of July 18 the oreginall is come safe to your hand before this, (*copy enclosed*) which gives you an acct. of the distemper the Island was afflicted with, but (I thank God) is pretty healthy at present; that brave man Capt. Hutchens dyed 10 days agoe, and Admirall Wager has been very bad, but I hope he is now in a fare way of recovery; there is some of our trading sloopes out upon the Spanish coast, and others goeing, they pretend tradeing is very dull, there's 3 small boates, 2 periagoes, and one lance committing pyracy upon the Spanish coast, which cannot be catched, to the number of 100 and odd, they are of all nations but commanded by a Frenchman; here is brought in since my last 3 prizes by the privateers, a Frenchman and 2 sloops. There's another Frenchman of 28 gunns, which they attackt 3 severall times, but still was beaten off; she was so disabled that afterwards she sunk, they report she was of vast vallue, the other that they have taken caryed 14 gunns, and they say is very rich; their is just now brought in a large Spanish ship by one of our privateers, on board of which their is 4000 sherroons of cocko, I doe not hear there is anything else on board of her. The great disputes that happens here betwixt the Collectors of H.M. outward Customes and the captures of the privateers as also the private sailers, I am apprehensive it will be much to the disadvantage of keeping the seaffairing people on this Island, belonging to the privateers. *etc. Signed,* Tho. Handasyd. *Endorsed,* Recd. Read Nov. 23, 1709. 2 *pp.* *Enclosed,*

720. i. (a) Extract of letter from Fra. Barth. Catoo, Porto Bello, June 18, 1709. The news is that the 16th has been letters here from Panama, that in the South Seas was two English ships, one of 24 gunns and the other of 30. They have taken a French ship and two boates near Piatta, and they are gone to Guajaquil, they landed 140 men and set fire to part of the place, and being they should not goe ffurther they capitulated for 30,000 peices of eight, which was given to them, and for all that they plundered most part of the houses, the 17th instant arived a vessall from Panama, which gave us notice that off of this side of the King's Island was seen 4 ships, and assures us was the enemy, the place

1709.

is in arms and in great confusion and have secured Dariell with 160 men for fear the enemy should goe to Calidonia as it seems they designe and destroy it *etc.*, as also that they will be in the South Sea's for a long time, haveing commission from Queen Anne for 2 years, and 'tis but 9 months since they left England.

(b) Extract of letter from Pedro Jozeph Delaranza, Panama, June 20, 1709. Wee are not secure of the enemy in these seas being a squadron of 7 English vessalls, and they have taken 6 Frigates of great value, and some other small vessalls, *etc. Repeats preceding.* It will be a great while before we cann goe from this Citty, the president will not permit any vessalls to goe out. *The whole,* 1 *p.* [*C.O.* 137, 8. *Nos.* 72, 72. i.; *and* (*without enclosure*) 138, 13. *pp.* 59-63.]

Sept. 9.
Whitehall.

721. The Earl of Sunderland to the Council of Trade and Plantations. The Queen having thought fit to appoint Col. Robert Hunter to the Governments of New Yorke and New Jersey, you are to prepare draughts of Commissions and Instructions, *etc. Set out,* N.Y. Docs. V. *p.* 91. *Signed,* Sunderland. *Endorsed,* Recd. 10th, Read 15th Sept., 1709. 1 *p.* [*C.O* 5, 1049. *No.* 115; *and* 5, 1121. *p.* 403.]

Sept. 10.
London.

722. Mr. Dummer to Mr. Popple. The *Frankland* packet-boat is arriv'd in Mounts Bay from the West Indies. Out and home 113 days. There is a sort of distemper in Jamaica, which begins in a soar throat and then into a feavour, which carrys many off. The last Fleet of merchants bound to Jamaica came there July 10th, little or no trade in those parts. Admiral Wager designs to come away in 60 days, from the arrival of the abovesaid fleet. *Signed,* E. Dummer. *Endorsed,* Recd. Sept. 10, 1709. 1 *p.* [*C.O.* 323, 6. *No.* 85.]

Sept. 10.
Windsor.

723. The Queen to Governor Crowe. You are to attend us in Councill prepared to make your defence against the complaint of John Sober, who is permitted to return to Barbados and take depositions *etc. as* Sept. 5. *Countersigned,* Sunderland. [*C.O.* 5, 210. *p.* 167.]

Sept. 10.
Windsor.

724. The Queen to the Governor of Virginia. Whereas divers inhabitants of the Canton of Berne have made it their humble petition to us that they may be permitted to make a settlement on the frontiers of Virginia, where they propose to establish a Colony of about 5 or 600 persons at their own charge *etc.*, our will and pleasure is that you, upon their arrival, allot them lands on the S.W. branch of the River Potomack, according to your Instructions of Feb. 19, 1709, provided always that in all things they duly conform themselves to the several Laws of Trade and Navigation heretofore made or which hereafter shall be made, *etc. Directed to Robert Hunter, who had, however, been appointed Governor of New York Sept.* 9. *Supra.* [*C.O.* 5, 210. *pp.* 168, 169.]

1709.
Sept. 12.
Bristol.

725. William Penn to Mr. Popple. Honored Friend, I could have been glad I might have had ye favour from the Lords to have seen these laws, as returned by ye Atturny Genll. before reported; and yet pray if the Bord please that they were delay'd till I waite upon them, for, I hope, my lame leg will give me leave to attend yt. affaire in two or 3 weeks time. I returne my acknowledgements for thy kinde advertismt., and pray ye Lords will for ye Queen's service, eminently more than mine, stop ye negative and sanction. forgive this scrible, and beleive I am wth. truth and esteem, Thy reall and affect. Friend, *Signed*, Wm. Penn. *Endorsed*, Recd. 14th, Read 15th Sept. 1709. *Holograph. Addressed. Sealed.* $1\frac{1}{2}$ *pp.* [*C.O.* 5, 1264. *No.* 79; *and* 5, 1292. *p.* 156.]

[Sept. 13.]

726. Robert D'Oyly, Clerk, to the Council of Trade and Plantations. *Prays* that his nephews, now detained in Virginia, may be sent for and made wards in Chancery. *v.* July 18 *etc.* *Endorsed*, Recd. Sept. 13, Read Nov. 2, 1709. 3 *pp.* [*C.O.* 5, 1316. *No.* 35; *and* 5, 1362. *pp.* 429-431.]

Sept. 14.
Whitehall.

727. W. Popple to Governor Handasyd. The Council of Trade and Plantations having adjourned for some days I have receiv'd several letters from you to their Lordships dated May 1, 25 and 26, June 14 and July 18, 1709, all which letters will be laid before their Lordships at their next meeting *etc.* [*C.O.* 138, 12. *p.* 449.]

Sept. 14.
Whitehall.

728. Same to Lt. Governor Bennett. *To same effect as preceding.* Encloses letter to be forwarded. [*C.O.* 38, 6. *p* 470.]

Sept. 14.
Whitehall.

729. Same to Governor Crow. *To same effect.* [*C.O.* 29, 12. *p.* 23.]

Sept 14.
Whitehall.

730. Same to Governor Parke. *To same effect. Concludes*: Upon a petition from Mr. Nevine H.M. was pleased to order that the complaints against you be heard before her in Councill Sept. 26. I have accordingly communicated your papers to Perry for your defence, *etc.* [*C.O.* 153, 10. *pp.* 374-376.]

Sept 14.
Whitehall.

731. W. Popple to Mr. Burchett. *Encloses* extract of letter from Governor Handasyd, July 18, 1709, relating to the want of seamen of H.M. ships of war *etc.* to be laid before the Lord High Admiral. [*C.O.* 138, 12. *pp.* 449, 450.]

Sept 15.
Whitehall.

732. Council of Trade and Plantations to the Earl of Sunderland. *Enclose* draughts of Commissions for Col. Hunter, for the Governments of New York and New Jersey, in the usual form. *Set out,* N.Y. Docs. V. 92. [*C.O.* 5, 1121. *pp.* 404-422; *and* 5, 995. *pp.* 1-19; *and* 5, 189. *pp.* 1-18.]

Sept. 15.
Whitehall.

733. Same to same. Enclose Capt. Holmes' account of French cruelty in the Bahamas. *v.* April 20, 1709. [*C.O.* 5, 1292. *p.* 156.]

1709.
Sept. 15.
Whitehall.

734. W. Popple to Wm. Penn. Reply to Sept. 12. Refers to letter of Sept. 8. Their Lordships do not think it proper for them to do anything further therein. I am informed the Council will not meet till the 26th inst. [*C.O.* 5, 1292. *p.* 157.]

Sept. 15.
Craven House.

735. Warrant from the Lords Proprietors of Carolina, granting Mr. Lays Michel 2500 acres of land in N. Carolina, at a quit-rent of 5/- per 1000 acres, "he having given us many and undoubted proofs of his inclination to our service and his continual endeavours to promote the general good of our Province, and we having also received a reasonable summe of money of him" *etc.* *Signed,* Craven Palatin, Beaufort, M. Ashley, J. Colleton, J. Danson. [*C.O.* 5, 289. *p.* 230.]

Sept 16.
Whitehall.

736. Order of Queen in Council. Refering following to the Council of Trade and Plantations for their opinion. *Signed,* Chris. Musgrave. *Endorsed,* Recd. Read Sept. 29, 1709. *Enclosed,*

736. i. Lt. Governor Walter Hamilton to the Queen. *Prays* for H.M. Commission to be Lt. Generall of the Leeward Islands, and in case of the death or absence of the Capt. Generall to have the usual salary and perquisites of Lieut. Generals in such cases. The Captains General have pretended a power of nominating whom they think fitt to that trust. Petitioner hath served long and faithfully, and suffer'd much in his person and estate, and humbly hopes he is very acceptable to the inhabitants, to whom in consideration of their near neighbourhood to the enemy; dureing the warr it would be a great satisfaction to have the chief command of those Islands setled by your Majesty, *etc.* *Copy.* 1 *p.* [*C.O.* 152, 8. *Nos.* 33, 33. i.; *and* 153, 10. *pp.* 377-380.]

Sept 16.

737. Mr. Bendysh to Mr. Popple. Encloses following to be laid before the Council of Trade. *Signed,* H. Bendysh. *Endorsed,* Recd. Sept. 19, 1709. *Addressed.* $\frac{1}{2}$ *p.* *Enclosed,*

737. i. Resolution of a Committee of the Commissioners for the relief and settlement of the poor Palatines, Guildhall, Sept. 13, 1709. The Council of Trade and Plantations are the most proper persons for considering the settlement of some of the Palatines in Jamaica, and none are fitter to put the same in execution under them than Capt. Jones, Benjamin Way and Mr. Whitchurch, *etc.* *Copy.* 1 *p.*

737. ii.-vi. Duplicates of Representations of Aug. 3, 30 (2), and of Proposals of July 27, Aug. 2. [*C.O.* 137, 8. *Nos.* 49, 49. i., 50-54; *and* (*with enclosure i. only*) 138, 12. *pp.* 451-453.]

Sept. 17.
Windsor

738. H.M. Warrant revoking Col. Ingoldesby's Commission as Lt. Governor of New York. *Set out,* N.Y. Col. Docs. v. *p.* 91. *Countersigned,* Sunderland. *Endorsed,* Recd. Read Oct. 21,

1709. 1*p.* [*C.O.* 5, 1049. *Nos.* 125, 148; *and* 5, 210. *pp.* 170, 171; *and* 5, 1121. *pp.* 434, 435; *and* 5, 1122. *pp.* 139, 140.]

Sept. 17. Carolina. **739.** Governor and Council of Carolina to the Council of Trade and Plantations. *Reply to* letter of May 7, 1707. The number of ye inhabitants in this province of all sorts are computed to be 9580 souls, of which there are 1360 freemen, 900 free women, 60 white servant men, 60 white servant women, 1700 white free children, 1800 negro men slaves, 1100 negro women slaves, 500 Indian men slaves, 600 Indian women slaves, 1200 negro children slaves, and 300 Indian children slaves. The freemen of this Province, by reason of the late sickness brought here from other parts, tho now very healthy, and small supply from other parts, are within these five years last past dec[*r*]eased about 100, free women about 40, white servants for the aforesaid reasons and haveing compleated their servitude are dec[*r*]eas'd 50, white servant women for the same reason 30, white children are encreased 500, negro men slaves by importation 300, negro women slaves 200, Indian men slaves by reason of our late conquest over the French and Spaniards and the success of our forces against the Appallackys and other Indian engagements are within this 5 years encreased to the number of 400, and the Indian woman slaves to 450, negroe children to 600, and Indian children to 200. The whole number of the Militia of this Province is 950 white men fit to bear arms, vizt. two Regiments of Foot, both makeing up 16 companys, 50 men one with another in a company, to which must be added a like number of negro men slaves, the Capt. of each Company by an Act of Assembly, being obliged to enlist, traine up and bring into the field for each white one able slave armed with gunn or lance for each man in his Company, and the Governor's troop of guards consisting of about 40 men, the Col., Lt. Col., Capt. Cornet and two Exans, together with 9 patrowls of 10 men in each patrowl to take care of the women and children in time of allarum and invasion, French prodestants, and an independent compa. at Santee consisting of 45 men and pattrowle of 10 men; the commoditys exported from this Province to England are rice, pitch, tarr, buck and doe skinns in the haire and Indian drest, allso some few fuirs, as beaver, otter, wilde catt, racoons, buffloe, and bear skins, and some ox and cows hides, a little silk, white oak pipe staves, and sometimes some other sorts, wee are sufficiently provided with timber fitt for mast and yards of severall sizes both pine and Cyprus, which may be afforded very reasonable and supplied at all times in the year, there being no frost or snow considerable enough to hinder bringing them down the rivers. Other commodities not of the produce of this place, but brought here from the American Islands and exported for England, are logwood, brasiletto, fustick, Cortex, Isleathera, tortoiseshell, ambergrease and cocoe. From this Province are exported to severall of ye American Islands, as Jamaica, Barbados, Antigua, Nevis, St. Christophers, the Virgins, Montserrat, and the Bahama Is-

1709.

lands, staves, sloops and shingles, beef, pork, rice, pitch, tarr, green-wax-candles made of myrtle-berries, tallow and tallow candles, butter, English and Indian pease, and sometimes a small quantity of tann'd leather. Goods imported from the foregoing Islands are rum, sugar, mollosses, cotton, fustick, brasiletta, cortex, Isleathera, ambergrease, tortoise-shell, salt and pamento. Logwood is generally brought from the bay of Campeachy. Wee are allso often furnished with negros from the American Islands, chiefly from Barbados and Jamaica, from whence also comes a considerable quantity of English manufactures and some prize goods (vizt.) clarrett, brandy etc. taken from the French and Spaniards. Wee have allso commerce with Boston, Road Island, Pensilvania, New York, and Virginea, to wch. places wee export Indian slaves, light dear skinns drest, some tann'd leather, pitch, tarr, and a small quantity of rice. From thence wee receive beere, sider, flower, dry cod-fish and mackerell, and from Virginea sometimes European commodities. Further wee have a trade to ye Maderas, (from whence wee receive most of our wine) also to St. Thomas and Curacco, to which places wee send ye same commodities as to the other Islands, excepting pitch tarr and rice lately prohibited, which prohibition is greatly disadvantageous to our trade in those parts. The trade of this Province is certainly encreased of late years, there being a greater consumption yearly of most commodities imported. And the inhabitants by a yearly addition of slaves are made the more capable of improving the produce of the Colony. Notwithstanding 'tis our opinion that the value of one [? *our*] import is greater (if we include negros with the commodities that are consumed here) then our export by which means it comes to pass that wee are very near drained of all our silver and gold coine, nor is there any remedy to prevent this but by a number of honest laborious persons to come amongst us, that would consume but little, by which means the produce of the country being encreased might in time make our exportation equalize, if not exceed our importation. That wch. has been a considerable, though unavoidable hindrance to the greater encrease of our trade, is the great duty on goods both imported and exported, occasioned by the debts ye Country is involved in by the late expedition in the time of Governor Moore against St. Augustine, and the charge in fortifying Charles Town this time of warr and danger, to which may very justly be added the late prohibition of pitch, tarr and rice. There are not above tenn or twelve sail of ships or other vessells belonging to this province, about halfe wch. number only were built here besides a ship and a sloop now on the stocks near launching, neither are there above twenty sea-faring men who may be properly accounted settlers or livers in the province. There is not as yett any manufactures setled in this province saving some particular planters who for their own use onely make a few stuffs of silk and cotton, and a sort of cloth of cotton and wool of their own growth to cloath their slaves. All possible precautions are taken by this Goverment to prevent illegal

1709.

trade, the Acts of Trade and Navigation being strictly enforsed on all occasions.

The Indians under the protection of this Govermt. are numerous, and may be of great use and service in time of invasion, the Nations wee have trade with are as follows: (vizt.) the Yamasees, who are seated about 80 or 100 miles south from Charles Town, they consist of about 500 men able to bear armes. they are become great warriours, and continually are annoying the Spaniards and the Indians their allies. To the southward of the Yamasees are a small nation called Paleachuckles, in number about 80 men, they are settled in a town about 20 miles up the Savanna river, and are very serviceable in furnishing with provisions the Englishmen who goe up that River in perryagues wth. supplys of goods for the Indians, and bring skinns in returne for them. About 150 miles south-west from Charles Town is seated on ye aforesaid River a nation of Indians called the Savannas, they are settled in three towns, and consist of about 150 men; a few miles distant on ye said River is a considerable town of Indians, that deserted the Spaniards and came with our forces from them about five years past, they are known by the name of the Appalatchys, and are about 250 men, and behave themselves very submissive to this Goverment, these people are seated very advantageous for carrying on trade. Indians seated upwards of 700 miles off are supplied with goods by our white men that transport them from this River uppon Indians backs. About 150 miles westward are settled on Ochasee River 11 towns of Indians consisting of 600 men, amongst whom are severally families of the aforesaid Appalatchys. These people are great hunters and warriours and consume great quantity of English goods. About 150 miles west from these people on the Chochtakuchy River, there is a town of Indians setled for conveynicency of carrying on trade who are very serviceable on that account, these people are seated about middway between Ochasee River and the settlements of the Tallabousees and the Attalbamees. They are many townes and consist of at least 1300 men, are great warriours and trade with this Government for great quantities of goods. About 200 miles from the Tallaboosees and ye Attalbamees westward lies the Nation of Indians called the Chickysaws, who are [*at*] least in number 600 men, these Indians are stout and warrlike, they are divided, part in the English intrest and part in the French, there is a factory settled by those French about four days journey down that River whereon the Tallabooses and Attalbamees live. Wee have but few skinns or furrs from the Chickysaws, they living soe distant twill hardly answer ye carriage, slaves is wt. wee have in exchange for our goods, wch. these people take from severall nations of Indians that live beyond them. The Chereky Indians live about 250 miles northwest from our settlement on a ridge of mountains, they are a numerous people, but very lasey; they are settled in sixty townes, and are at least 5000 men, the trade we have with them is inconsiderable, they being but ordinary hunters and less warriours. There are

1709.

severall other Nations of Indians that inhabit to the Northward of us, our trade as yett with them is not much, but wee are in hopes to improve it very shortly. From the aforesaid severall Nations of Indians is bought and shipped for England one year with another about 50,000 skinns, to purchase wch. requires at least £2,500 or £3000 first costs in England; the goods proper for a trade with ye Indians are English cottons, broad cloth of severall coloures, doffells blew and redd, beads of severall sorts and sizes, axes, hoes, faulchions, small fuzee gunns, powder, bulletts and small shott.

St. Augustine, a Spanish garison, being planted to the southward of us about 100 leagues, makes Carolina a frontier to all the English settlements on the Maine. Therefore Charles Town, the cheif port in Carolina, by the direction and diligence of our present Governor, Sir Nathaniell Johnson, is surrounded with a regualar fortification, consisting of bastions, flankers and halfe moons, ditched and pallasadoed and mounted with 83 gunns, allso at the entrance of the harbour on a place called Windmill Point, within carabine shott of wch. all vessells must pass by, is now building and almost finished a triangular fort and platform of capacity to mount 30 gunns, which when finished will be the key and bulwork of this province, but wanting some large and heavy gunns both for the fortifications about Charles Town and the said fort and platforme, together with a sutable store of shott, the preservation of this province soe nearly concerning the security of the rest of H.M. Plantations on the Maine. Wee humbly conceive that it would be conducive to H.M. service to have these places as well fortifyed as possible, the inhabitants of this Province having been allready at very great charge and expence towards perfecting soe necessary a work, wee therefore pray your Lordships to become intercessours to her Sacred Majesty that she would pleas to give us 50 gunns, (vizt.) 30 dimi canon and 20 culverin of the largest size with a sutable store of shott and powder, which is all wee want to make Carolina impregnable. Your Lordships shall from time to time receive from us a faithfull account of all occurrances that can anyways concerne either H.M. service, the interest of Great Brittaine, or the advantage of this particuler Province. *Signed*, N. Johnson, Tho. Broughton, Robt. Gibbes, Geo. Smith, Richd. Beresford. *Endorsed*, Recd. 1st, Read 7th Dec. 1709. 10 *pp.* [*C.O.* 5, 1264. *No.* 86; *and* 5, 1292. *pp.* 166-176.]

Sept. 20.
Whitehall.

740. W. Popple to Josiah Burchett. The Council of Trade and Plantations being informed that my Lord High Admiral has referred the papers relating to the pressing of seamen at New York (Aug. 30) to the Attorney and Solicitor General, desire a copy of their opinion thereon. [*C.O.* 5, 1121. *pp.* 422, 423.]

Sept. 20.
Antigua.

741. Michael Ayon to the Council of Trade and Plantations. By H.E.'s order I give your Lordshipps an account of a barbarous designed murder against him on Sept. 5th. Last year

1709.

Mr. Nivine's being taken into France, going to England, and not haveing an opertunity of writeing to his friends in Antigua as soon as expected, the faction of this Island concluded he was lost, which put them upon a desperate designe of shooting the Generall, which they in a little time after fruitlessly attempted by shooting at Capt. Clarke of the *Adventure* mann of warr, who they tooke for the Generall, but mist him, in a litle time after they shott att himselfe and likewise mist him, he then not thinkeing it any other then an accidentall shott, in a litle time after they had a letter from Nivine which gave them some hopes of accompleishing their ends in a more honourable manner, but afterwards hearing that your Lordshipps had made a report in his favour and knowing that their base complaints would not beare inquireing into, what with the disapointment and the vast expence they had been at, putt them once more upon acting as designed a piece of villanny as never was heard of before in a Christian country which they brought about after this manner. A notorious runn-away negroe belonging to one Capt. John Otto Bayer, who had for some time been runn away from his said Master, hearing that there was a reward of £30 for the bringing of him in dead or alive, came and surrendred himselfe to one Mr. James Field Minister of St. Johns in this Island, who went with him to his said Master and begg'd very earnestly for his pardon, which at last he obtained, which makes every one here justly suspect that the parson was in great measure guilty of what was designed against H.E., because (1) it seems very strange that the parson (who is very barbarous in his nature, frequently punishing allmost to death the smallest of crimes in his owne slaves, and never was knowne to begg for any slave before) should at this time begg for soe great an affender, and at the same time geld and cutt of one of his owne slaves leggs, who was seduced by this negro and was not equally cullpable with the other, if he did not designe this slave of Capt. Otto's for the Generall's executioner; (2) Why should the parson and Col. William Thomas, clandestinely leave the Island the night before the Generall was to be shott by the negroe, if they had not been afraid of hearing their guilt repeated by others and the negroe's confession if taken, their forceing away of Capt. Harry without takeing the Genll.'s letters, and severall other instances of this kind gives just grounds to believe that they were deeply concerned in the murder designed; the management of which was left to one Bastian Otto Bayer, a profligate young fellow, who the faction of this Island putt at the head of the mobb when the riott was committed; they tooke care to convey Otto and the negro off the Island after they had shott the Generall from behind a hedge through the arme in a moonlight night as he was comeing from Capt. Matthews's, the bullett had gone through his bodye had not his horse started at the flash, being very near. H.E. has gone through a great deale of torture, but now is more easy, the fractured bones beginning to worke out, and is in hopes he will not loose the use of his arme, though it was a large

1709.

muskett ball that went through. Att the house of one Andrew Murray (one of the subscribers) near the place where the Generall was shott, I am informed by Mr. Duncan Dee jr., that there was tenn or a dozn of that faction by him seen come out of the said house after he left the Generall, he being with him at Capt. Matthews's, and it is believed they wayted there to heare the success of the shott; another thing which makes people believe the Parson had a hand in the designed murder is, that upon the news brought by the *Diamond* mann of warr, that your Lordshipps had made a report that it was but reasonable the Generall should be heard in answer to what they alledge against him in their articles, some of the Generall's friends (upon this) makes a coppy of verses, in the Generall's behalfe, which lashes the faction very home by exposeing their villany; and nailed them up at a publick door; the Parson writes at the bottom of the verses, in Latin, words to this effect, "Lett them rejoice at the conquest, for he wont enjoy it long." This was about a weeke before the Generall was shott. *Signed*, Michael Ayon. *Endorsed*, Recd. Dec. 28, 1709, Read Jan. 12, 170$\frac{9}{10}$. *Addressed. Sealed.* 3 *pp.* [*C.O.* 152, 8. *No.* 45; *and* 153, 10. *pp.* 440-445.]

Sept. 22. Whitehall. **742.** Earl of Sunderland to the Council of Trade and Plantations. Captain Jones, Mr. Benjamin Way and Mr. Whitchurch having made proposals for setling some of the Palatines at Jamaica, you are to hear what these gentlemen have to offer, and report your opinion what agreement it will be proper for H.M. to make with them in order to the providing for these poor people in those parts. *Signed*, Sunderland. *Endorsed*, Recd. 22nd, Read 27th Sept. 1709. 1 *p.* [*C.O.* 137, 8. *No.* 48; *and* 138, 12. *pp.* 450, 451.]

Sept. 22. Craven House. **743.** Lords Proprietors of Carolina to Christopher Gale, Receiver General of North Carolina. You are to supply Christopher de Graffenried with such necessaries and provisions of ours for the poor Palatines (*cf.* Sept. 8) at such rates as you received them, taking and forwarding his receipt for same *etc.* *Signed*, Craven Palatin, Beaufort, M. Ashley, J. Colleton, J. Danson. [*C.O.* 5, 289. *p.* 231.]

Sept. 22. Craven House. **744.** Same to the Governor, or President and Council and Assembly, of North Carolina. We being extreamly desireous that the good of our Province should by all proper means be promoted, and being sencible that nothing can more effectually contribute thereto than by encreasing ye number of the inhabitants and planters, who by their labour and industry may occupy the soil and improve the produce thereof, we have therefore given all reasonable encouragemt. to some families of poor Palatines to come and settle amongst you, and have also given directions *as preceding.* We do earnestly recommend them to your care, Gentlemen, *etc.* P.S. We have received ye several pacquets of complaints from Col. Cary and Mr. Glover, etc.,

1709.

which disturbances we are very much dissatisfied with, being a great hindrance to ye settlemt. of that part of our Province, and a disadvantage as well to us as yourselves, and have given particular instructions to Governor Tynte, who is now gone over, for him to settle those disorders. *Signed as preceding.* [*C.O.* 5, 289. *p.* 232.]

[Sept 23.] **745.** Merchants of Maryland to the Council of Trade and Plantations. Complain against 3 recent Acts of Maryland. (1) An Act *for releif of poor debtors.* It is evident this Law was made to surprize all the traders in Brittain who had launched out their estates in the support of the creditt of the planters, and being at such distance could not be able to discover ye frauds of such as should make over their negroes and estates, under cover to others, under pretence of country debts, as severall have been found to do, and their lawes allowes. Besides it's evident that by this Law the Country intends to sett themselves up at the cost and ruine of the merchants that have given them creditt, tho at the same time they ruine the future credit of the country. It is impossible to support the tobacco trade without credit; without it, the people must manufacture to cloath themselves. The cheif debates in the House of Burgesses was that they, ruining credit, might force the people to manufacturyes, which is in effect to destroy the Queen's Revenue. This Law supposes that he that shall swear he is not worth £5, besides his cloaths, *etc.*, shall be discharged. This is to cutt off all the justice of Trade, and the honour that hath ever been given it at once. Because the merchants have given the Planters credit to buy negroes to cloath and support their families, not upon any known or supposed stock they had, but upon their justice and future crops, and this Law at once cutts out all merchants that have trusted them *etc.* And it is very remarkable how they pretend to extend their Law to all Brittain, and to the Traders there to whom only they are valuably in debt, without any man's being heard against the Law, *etc.* No such law as this, which so eminently concerns this Kingdome, ought to be made in any of the Plantations before it be considered here, where it hath its greatest efficacy. If such plantations have such power to destroy the credit and trade of Europe, it's most certain it gives them a power in time to dismember themselves from Brittain and ye dependance thereon which is a consideration to be well digested, *etc. etc.* (2) An Act *for the lessning the costs and damages on Bills of Exchange, etc.* By this Law any person who shall draw bills, are sure not to pay common interest for the money so drawn, *etc.* (3) An Act *for Townes.* In this Law they confine all H.M. subjects of Great Brittain to keep store with their goods imported thither in towns at present unbuilt, but reserve a liberty to the inhabitants of that province to keep store with their own goods in any part of the country. By this Law they enact that all the manufacturys of Great Brittain being once imported into Maryland, can't be exported again

1709.

from thence, which if it can't be sold, must by this Law perish there, to the great discouragemt. of Trade and Navigation. We humbly hope H.M. subjects of Europe may be supported alwayes on the same freedom and priviledges of trade with any the inhabitants of this or any other plantation whatever; there hath been severall Laws in this kind attempted, but have alwaies been thought unreasonable and rejected. *Signed,* Micajah Perry *and nine others. Endorsed,* Recd. Sept. 23, Read Oct. 17, 1709. 2 *pp.* [*C.O.* 5, 716. *No.* 67; *and* 5, 727. *pp.* 126-132.]

Sept. 24. Office of Ordnance.

746. Board of Ordnance to the Council of Trade and Plantations. This Office for many years having been at an extrordinary expence in supplying the Plantations with Ordnance stores, for which no money has been paid by the plantations, nor any allowance made by parliamt., wee desire if any of the Plantations have at this time any occasion for stores, your Lordships will be pleased to make such early applications to H.M. in Councill that wee may receive H.M. pleasure for making a demand for the same to parliamt. by putting it into our estimates. *Signed,* C. Musgrave, Ja. Craggs. *Endorsed,* Recd. 24, Read 27th Sept. 1709. 1 *p.* [*C.O.* 323, 6. *No.* 86; *and* 324, 9. *pp.* 406, 407.]

Sept. 24. Admiralty Office.

747. Mr. Burchett to W. Popple. Encloses opinion of Attorney and Solicitor General on pressing seamen at New Yorke, "by the Govermt. there for the use of H.M. shipps attending that Island" [sic]. *Signed,* J. Burchett. *Endorsed,* Recd. 24th, Read 27th Sept. 1709. $\frac{3}{4}$ *p. Enclosed,*

747. i. Extract of letter from Col. Ingoldesby, July 5, 1709. $1\frac{1}{4}$ *pp.*

747 ii., iii. Opinions of the Attorney General (Rayner) and Chief Justice (Mompesson) of New York touching the impressing of seamen, etc. July 3, 1709. *Duplicate.*

747. iv. Opinion of H.M. Attorney General thereupon. I concur with the opinion of Mr. Rayner, Attorney General of New York. Mr. Mompesson seems to me to mistake the point by talking of the dispensing power. The question is whether this Act does forbid ye Civill Magistrate from takeing up seamen for H.M. service, and I think it does not. *Signed,* Ja. Mountague. Sept. 15, 1709. $2\frac{1}{2}$ *pp.*

747. v. Opinion of the Solicitor General on the clause in the Act *for the encouragement of trade in America* relating to pressing. This clause extends only to the officers of H.M. ships of war, who are apt to be irregular in the execution of this power, *etc.* It can't be imagin'd that it was design'd to take away a prerogative of the Crown, in which the common security of the Plantations is so much concern'd, by depriving the Governors of the power of providing the necessary men for H.M. ships of war, *etc.* *Signed,* R. Eyre.

1709.

Sept. 17, 1709. 2 *pp.* [*C.O.* 5, 1049. *Nos.* 116-121; *and* 5, 1121. *pp.* 422-430.]

Sept. 25.
Barbados.

748. Governor Crowe to the Council of Trade and Plantations. *Encloses* duplicates and acknowledges letter of July 15. The Agents Act was by mistake of my Secretary left out of ye packet of March 2. It goes enclosed. Our men of warr has mett with nothing in their late cruise but an empty French sloope which they carried in and condemned at Antegua, and retaken an English one loaden with lumber from New England. I had no letters from the Secretary's Office by this packet: H.M. Orders for reinstating the three Councillours shall be immediatly obeyed, but I have not as yet seen said Order, nor any coppy thereof, they took all the depositions they had a mind for without leave, and have sent the same home. By Mr. Parke's fate, your Lordps. may perceive what it is to encourage these people against Government. *Signed,* M. Crowe. *Endorsed,* Recd. 2nd, Read 16th Feb. 170$\frac{9}{10}$. 1 *p.* [*C.O.* 28, 13. *No.* 19; *and* 29, 12. *p.* 95.]

Sept. 25.
Barbados.

749. Same to Same. In this Minute, just as the packet's time is out and goeing under saile, Mr. Alexander Walker brought me H.M Order for reinstateing the 3 Councillours, which shall be immediatly obeyed. But I did not think it for H.M. service to detaine ye packet untill the Council should be summoned, some of them living distant 18 miles from this place, which would occasion her detention at least 2 dayes. *Signed and endorsed as preceding.* $\frac{1}{2}$ *p.* [*C.O.* 28, 13. *No.* 20; *and* 29, 12. *p.* 96.]

Sept. 26.
Windsor.

750. Order of Queen in Council. Upon Representation Sept. 6, relating to goods seized in Carolina belonging to Virginia Indian Traders, ordered as there proposed. *Signed,* Chris. Musgrave. *Endorsed,* Recd. 3rd, Read 4th Oct., 1709. 1$\frac{1}{4}$ *pp.* [*C.O.* 5, 1316. *No.* 33; *and* 5, 1362. *pp.* 420, 421.]

Sept. 27.
Windsor.

751. The Queen to the Attorney or Solicitor General. Instructions to prepare a Commission for Robert Hunter to be Governor of New York. *Countersigned,* Sunderland. [*C.O.* 5, 210. *p.* 177.]

Sept. 28.
Charles Towne.

752. Nathaniel Sale to the Lords Proprietors of Carolina. We arrived Sept. 1st after a most tedious and dangerous voyage of 16 weeks from Gravesend. My comission for your Lordships Receiver General is received here in Councell and recorded the 19th of next month, Mr. Ashby, the late Receiver, is to make up his accots. before yr. Lordships Comissioners, and yn. is to deliver what is in cash, wch. as yett he cant tell me wt. it is, but by his last accott. wch. he settled and adjusted before ye sd Comissioners, Aug. 25th, there was but £172-1-7 due to yr. Lordships for ballance. I shall doe my utmost for yr. Lordships interest, but as there is no rent rowle nor any bookes kept in the Receiver's Office, it is att present in great confusion.

1709.

Mr. Ashby affirms it never has been worth above £50 a year to him since he had ye place. Yr. Lordships were pleased to consent yt. Mr. Edwd. Hyrne, yr. Lordships' Naval Officer, should depute me his deputy here, but for want of an order from yr. Lordships yt. you did agree to it, Sr. Nathaniel Johnson being willing to keep Mr. Trot his friend in it as long as he can, will not admit me to act as deputy, so I humbly desire your Lordships to send over yr. order, without which, though Major Tynt does arrive who is sensible it was your Lordships' will and pleasure, yet as it is Mr. Saunders opinion yt. it not appearing in writing I must not act, and he may overperswade Major Tynt against it, 'tis a great disapointment to me, for there are more vessells comes in here in these 3 months following yn. in all the rest of the year.

Oct 15. The above is coppy of wt. I wrote via Antegoa; this goes by ye *Blackermoor* gally for Exon. Mr. Ashby is to settle his accotts. before yr. Lordships' Comissioners next meeting *etc.* I hear yr. Lordships gave a bill or order to Major Tynt for £270, the Major nor the bill does not yett appear, wn. it does yr. Lordship may depend I'le punctually pay it tho I advance the mony myselfe, but I must beg of yr. Lordships not to draw any more, for it cant be exspected I should pay mony before I receive it; there was but £172 in cash Aug. 25 (*as above*), and the Governor's and other officers' sallary are paid quarterly, besides £80 or thereabouts the charges of the sessions, wch. is next weeke, now yr. Lordships' Comissioners have orders yr. Lordships' Receiver Genl. to pay the charges of the sessions, wch. is twice a year, and comes to about £80 each sessions, it has been the custome so to doe, but I thought it my duty to acquaint yr. Lordsps. of it. Yr. Lordships were pleased to grant me the Register's place of conveyances and grants, but afterwards left it to Major Tynt yt. if it did not belong to the Secretary's Office, the Major should establish me in it, now I find by Mr. Saunders, the Attorney Genl., that he is to have the sd. Register's place, wch. is wt. I did not expect, and whereas the Receiver Genl.'s place is not worth above £50 a year, and indeed things are so dear here yt. it costs me £46.10. a yeare onely lodging and dyet, so I hope yr. Lordships will consider me some way or other *etc.* The *Dunkley* never came hither but went to Merryland, where landed the goods and passingers, one Mr. Mathews and Mr. Saunders nephew and two more are come hither by way of North Carolina, the rest are still in Merryland. *Signed,* Nathaniel Sale. 2½ *pp.* [*C.O.* 5, 382. *No.* 12.]

Sept. 29. Whitehall. **753.** Council of Trade and Plantations to the Earl of Sunderland. We have prepared the draughts of Instructions for Col. Hunter to be Governor of New York and New Jersey; but whereas therein is contained a clause, which relates to the pressing of seamen, upon which we have some doubt, we take leave to observe, that clauses (*quoted*) in the Act *for the encouragement of the trade to America* might be construed to

1709.

extend to the taking away the power from the Governor of impressing seamen in all cases whatsoever. But as Mr. Attorney and Mr. Solicitor General have given a different opinion (Sept. 24), we enclosed copies thereof, that your Lordship may please to recieve H.M. pleasure, whether the said clause shall be continued in the Instructions, or not. 3 *pp.* *Enclosed,*

753. i.-vi. Duplicates of papers relating to above. *Cf.* Sept. 17th etc. [*C.O.* 5, 1049. *Nos.* 124, 124. i.-vi.; *and* (*without enclosures*) 5, 1121. *pp.* 431-433.]

Sept. 30. Whitehall.

754. Mr. Popple to Capt. Jones and Mr. Whitchurch. By order of the Council of Trade and Plantations I am commanded to send you the inclosed heads of the letter read while you were with them yesterday, and thereupon I am to desire that you would please to consider of and give their Lordships an account of the quantities and qualities of the tools necessary for about 1,000 Palatines, men, women and children, to be sent to Jamaica, and the prices; an account of provisions for the subsisting of them there, at about 5d. per head, that is, for so many of them as shall not be upon deficiencies or otherwise provided for; an account of the cloathing necessary for them, as also of guns, powder and shot; and their Lordships further desire that you would give them an account of the charge of their freight and transportation, as also that you would give them a list of the names of the Proprietors of Lynch Island and the lands lying about it. I have desired Mr. John Heathcote, by their Lordships order, to be assistant to you. [*C.O.* 138, 12. *pp.* 453, 454.]

Sept. 30. Bermuda.

755. Lt. Governor Bennett to Mr. Popple. *Refers* to letter of June 30. The Captains of the Forts have made up their accts. of stores to June 1st. But this sommer has been soe excessive hott (and by reason of my late illness) I could not endure the heat abroad, soe that I have not yet gone to the fortifications. But now the weather declines, I shall in a few days begin, and will in as short time as possible return a parfect state and condition of them, *etc.* *Signed,* B. Bennett. *Endorsed,* Recd. 5th, Read 12th Dec. 1709. *Holograph.* 1½ *pp.* [*C.O.* 37, 9. *No.* 3; *and* 38, 6. *pp.* 475, 476.]

[Oct.]

756. (a) Account of Stores left in the Fort of St. Johns, Newfoundland, by Capt. Taylor, H.M.S. *Litchfield,* also at Carbonear, Harbour Grace, and Little Bell Islands, and the Isle of Boys. *Signed,* Jos. Taylor. 2½ *pp.*

(b) List of the Officers in Newfoundland, commissioned Oct. 1709. *St. Johns*:—John Collin, Governor; Edward Sheppard, Lt. Governor; John Jenkins, Major; William Roberts, Gilbert Jeane, John Marshall, John Cock, John Eleat, Wm. Bowles, Rd. Tapley, Captains; Tho. Squarry, Jono. Martin, Henry Parker, James Prosser, Tho. Roberts, Samuel Nicks, Giles Goss, John Julian, Rt. Bowles, Step. Dann, Lieutenants; Daniel Ranes, Rt.

1709.

Willicot, Char. Coaker, Jos. Newham, Tho. Hawkins, John Martin, Rowland Martin, Rd. Boden, John Richardson, Abr. Barrott, Ensigns; Isaac Legoss, Surgeon; Wm. Squarry, Master Gunner. *Ferryland and Isle of Boys*:—Oliver Lang, Governor; John Tucker, Lt. Governor; Rd. Roberts, Hen. Rex, Lieuts.; Tho. Deble, Arthur White, Ensigns. *Carbonear*:—Wm. Pynn, Governor; Tho. Williams, Tho. Peck, Capts.; Wm. Pynn, jr., Peter Merkin, Wm. Reeves, Lieuts. *Harbour Grace Island*:—Hen. Edwards, Governor; Rt. Pynn, Jona. Webber, Capts.; Wm. Parsons, Wm. Burt, Edwd. Stephens, Lieuts. *Little Bell Isle*:—James Butler, Governor; Geo. Garland, Jno. Snow, Capts.; John Butler, jr., John Fancy, Wm. Thacker, Lieuts. *Signed*, Jos. Taylor. 2 *pp*. [*C.O.* 194, 22. *No.* 73.]

Oct. 4.
Whitehall.

757. Council of Trade and Plantations to the Board of Ordnance. *Reply to* Sept. 24th. At present there is no demand of stores from any of the Plantations before us; but so soon as any shall be made, we will immediately lay the same before H.M. [*C.O.* 324, 9. *p.* 407.]

Oct. 4.
Whitehall.

758. W. Popple to Sir Robert Cotton. Requests his attendance at the Board to discuss the settlement of Palatines on Lynch Island, Jamaica, belonging to his grandson, Mr. Cotton. *Cf.* Oct. 7. [*C.O.* 138, 12. *pp.* 454, 455.]

Oct. 5.
Whitehall.

759. The Earl of Sunderland to Mr. Popple. There being several references of moment from H.M. before the Lords Commissioners of Trade and Plantations, which require dispatch, and H.M. being informed that the same cannot be done for want of a quorum of the Council of Trade in Town; you are to summon the absent Commissioners immediately to town, that the service may not suffer any longer by their absence. *Signed*, Sunderland. *Endorsed*, Recd. Oct. 6, 1709. 1 *p*. [*C.O.* 388, 76. *No.* 85; *and* 389, 36. *pp.* 443, 444.]

Oct. 5.
Whitehall.

760. Mr. Popple to Col. Blakiston. The Council of Trade and Plantations think it proper for you as Agent for Virginia to deliver the Order of Council, (Sept. 26) to the Lords Proprietors of Carolina and procure a duplicate to be transmitted to the Government of Virginia. [*C.O.* 5, 1362. *pp.* 421, 422.]

Oct. 5.
Whitehall.

761. The Earl of Sunderland to the Council of Trade and Plantations. Mr. Marquez, Commissary of the Purveyors of the King of Portugal's Forces, having directions from them to purchase quantitys of wheat, rye, barley and oats for the service of those forces, he has thoughts of getting some wheat and flower from New England, New York and Pensilvania, but exportations of this kind being altogether new and unusual in those places, he apprehends the same will meet with difficultys and oppositions, for preventing of which he desires the Queen would write to the Governors of those Colonys to give such

1709.

assistance as may be desired by Nicholas Roberts or his Agents for the exportation of all such quantitys of corn and flower as the Country can conveniently spare without prejudice to themselves or danger of occasioning a scarcity there, at such prices as they shall be commonly sold for at the time of making such purchase or as the Governors shall appoint between the Factor's Agents and the Inhabitants of the respective Colonys, and to cause the names of the ships and quantitys of the corn and flower which shall be exported by the said Roberts or his Agents to be registred. Her Majesty is enclined to consent to anything he can reasonably ask towards enabling him to comply with the orders he has received from Portugal, but desires to have your opinion whether this request can be granted without inconvenience to H.M. service or to those Plantations. *Signed*, Sunderland. *Endorsed*, Recd. Read Oct. 6, 1709. 1½ *pp.* [*C.O.* 323, 6. *No.* 87; *and* 324, 9. *p.* 408.]

Oct. 7.
Whitehall.

762. W. Popple to Sir Robert Cotton. The Council of Trade and Plantations having, by H.M. direction, under consideration the settling of some Palatines on the Island of Jamaica, and their Lordships being inform'd that Mr. Cotton, your son, is Proprietor of Lynch Island, which is thought a proper place for the present reception of the said Palatines, they have therefore commanded me to make the following proposal, which they desire you will please to transmit to your son for his answer, viz. That about 1000 of the above Palatines be transported at H.M charge to Lynch Island, there to continue till they can be settled on the Island of Jamaica. That the Harbour of St. Antonio be made a port of entry. That Lynch Island be cleared, and huts built thereon for the reception of the said Palatines, without any charge to the Proprietor. It is presumed the clearing of Lynch Island will be a considerable improvement to Mr. Cotton's estate on that Island, and elsewhere in Jamaica, whereas at present no benefit accrues to him from the said Island. In consideration whereof, it is proposed that the said Palatines have the use of so much of Lynch Island as shall be necessary till their settlements can be perfected on the Island of Jamaica, and that Mr. Cotton do surrender to H.M. use in fee about 30 acres, part of the said Lynch Island for settling such of the said Palatines as shall be thought fit to continue there, and for building a small Fort for the security of the Harbour of St. Antonio; whereby he will not only contribute to the promoting so good a work as the settling those poor people, but in all likelyhood very much improve his particular property. [*C.O.* 138, 12. *pp.* 455-457.]

Oct. 7.

763. Messrs. Whitchurch and Jones to the Council of Trade and Plantations. Proposal and estimate for settling 1000 Palatines at Jamaica. *Endorsed*, Recd. 7th, Read 10th Oct., 1709. 3½ *pp.* [*C.O.* 137, 8. *No.* 55; *and* 138, 12. *pp.* 457-465.]

1709.
Oct. 8.
Windsor.

764. The Queen to Governor Crowe. *Refers to* Order of Jan. 22 last, and Representation of Council of Trade upon further complaints against him. You are forthwith to repair to our presence to make your defence before us in Council, and the complainants are to be at liberty to take such proofs and depositions upon oath before such chief magistrate as they shall think fit, *etc. Countersigned,* Sunderland. *Endorsed,* Recd. 22nd, Read 25th Oct. 1709. 5 *pp.* [*C.O.* 5, 210. *pp.* 179-182; *and* 28, 12. *No.* 39; *and* 29, 12. *pp.* 23-27.]

Oct. 8.
Virginia.

765. Col. Jenings to the Council of Trade and Plantations. *Refers* to letter of June 13th, sent by a running ship. This by the return of the Fleet, *etc.* According to what your Lordps. were pleased to intimate, I have with the advice of the Council given directions to the Surveyors of the Countys bordering on Carolina to prepare an estimate of the charge of laying out the boundarys of that Province, and hope in a very short time I shal be able to give your Lordps. a satisfactory account both of the method and charge of that work. *Refers to enclosures* "relating to the interruption given our Indian Traders by the Government of Carolina. Your Lordps. will observe that the pretence for seizing the skins, furs and other effects of our traders is grounded on the Act of the 15th of King Charles II., but it is not alledged that our traders either were within the inhabited bounds of Carolina, or that there were any officers for putting that Act in execution within 200 miles of the place where they traded: so that whether that Act obliged our traders to look for Custom house Officers where there was not an English inhabitant, or to go 200 miles to Charles Town to ask the Governor of Carolina leave to trade with people altogether independent on him or his Province is humbly submitted to your Lordps.' consideration. Perhaps it may be urged that the traders ought to have carryed certificates from hence that there goods were legally imported here; but as they had never before seen nor heard of anybody to exact such certificates, your Lordps. will not think it strange that they judged them unnecessary. But I dare affirm to your Lordps. that our traders carry no goods, but what are legally imported according to the Acts of Trade, being generally purchased here of the most substantial and fair traders in the country, who have them imported directly from London. Your Lordps. will observe that it was not the European goods, but the skins and furrs purchased of the Indians that were seized, wch. kind of commodity I humbly conceive is not seizable by any construction of that Act of Parliament. So that I doubt not yr. Lordps. will plainly perceive it was the private interest of engrossing that trade, more than any regard to the Law that inclined the Government of Carolina to this unusual treatment of our traders. H.M. additional Instruction concerning the granting of land, I have communicated to the Council, but upon considering the difficulty of the seating required therein, they are humbly of opinion that no man will take up any land upon those terms while there is land to be had on easier terms in the neighbouring Governments, and beg leave to repeat the reasons for not altering the ancient condition of grants laid before yr. Lordships Oct. 19 last (*v. Journal of Council of Virginia*), in which they are more and more confirmed by observing how many entire familys besides great numbers of single persons have removed this last summer and are daily removing into the Province of North Carolina, where H.M. will receive no benefite either by the Quitt rent or the produce of their labour." *Enclose* Council Journal June 4, 1708—Sept. 12, 1709. I confidently hop'd I should have been able by this conveyance to have sent your Lordps. the accounts of H.M. Revenue, but the sickness of some of the Collectors having hindered them from reforming some errors in their accots., hath disappointed the settling the general accompts of the Revenue. But as the Auditor and Receiver General have assured me they will have every thing in a readiness against the General Court for perfecting those accounts, I hope the first opportunity thereafter to transmitt them to yor. Lordps. According as I wrote June 13, as soon as the Guardship arrived, I discharged the briganteen employed for the defence of the Countrey, and have caused the men to be paid off; but there being some accots. for transporting and mounting the alarm guns on the shoar of the Bay not yet come to hand (and wch. are proper to be put with the charge of the briganteen) the accots. of that whole expence are not yet fully settled, so as to be laid before yor. Lordps., but I believe the whole charge will not exceed 800 and odd pounds, the particulars whereof I hope by the first opportunity to send yr. Lordps. The Captain of the Guard ship has been very dilligent in cruising ever since his arrival, but the ship being of too great bulk to pursue the privateer sloops among the flatts, he has not been able to come up with those he has seen, yet seems fully perswaded, that if together with this ship, he had the sloop wch. my Lord High Admiral hath ordered to be bought for this station, no privateer on this coast could escape him. Among the Proclamations wch. I herewith send yr. Lordps., there is one prohibiting the exportation of corne, the long and unusual dry weather for almost the whole past summer having burnt up the corn in many places of the country, and the apprehensions of a great scarcety of all sorts of grain to follow thereon hath occasioned this prohibition, but I hope it has been laid so seasonably that there will still be enough left in the country for the subsistance of the inhabitants till a new cropp.

The Fleet now bound out hath almost drain'd the country of all the old tobacco, wch. would have been of great benefite, if the present cropp had not proved very small, and far short of what might have been expected from more seasonable weather, and I'm afraid the next Fleet will meet with a disappointment if there comes as many ships as heretofore. The Country enjoys a perfect peace and quiet, *etc.* *Signed*, E. Jenings. *Endorsed*, Recd. Dec. 20, 1709, Read Jan. 3, 170$\frac{9}{10}$. 4½ *pp.* *Enclosed*,

765. i. Correspondence between Col. Jenings and Governor Sir

1709.

N. Johnson relating to the seizure of goods of Virginian Indian Traders, etc. April 22, July 22, Nov. 2, 1708. With depositions of Robert Hix, David Crawley, James Lundy, Nathaniel Urven as to same. *Copies.* 7½ *pp.*

765. ii. Proclamations by Col. Jenings. (1) June 22, 1708, declaring the repeal of the Revenue Act (Jan. 25, 1708). (2) July 30, 1708, receiving the Nations of the Saponies into the Protection of this Government, and peaceably to possess and enjoy the land where they are now seated, until further provision be made for them; (3) Oct. 26, 1708, confirming the Act about hhds. (4) Oct. 26, 1708, prohibiting trade with the Tuscaruro, Nottaway, Maherine or any other Indians living S. of James River; (5) Feb. 10, 1709, publishing Acts about Coin and Trade to America. (6) April 15, 1709, appointing a General Fast, May 18, for intercession on account of "the dangerous pestilential distemper which has already swept away great numbers of the inhabitants of the Eastern Shore and is now lately spread and continues to rage in some parts of the Western Shore, to the great terror and consternation of all"; (7) April 15, 1709, to encourage seamen to serve on board the *Seaflower*; (8) to prevent seamen deserting Jan. 21, 1709; and (9) for preventing export of corn, Sept. 12, 1709. *Copies.* 7 *pp.* [*C.O.* 5, 1316. *Nos.* 41, 41. i., ii.; *and* (*without enclosures*) 5, 1363. *pp.* 27-35.]

Oct 8. Lyme Street. **766.** R. Tryon to Mr. Popple. *Reply concerning Oct* 5. *q.v.* Barbados, ye Leward Islands and Jamaica haveing their sole dependance for beef from *our Colonys in America*, ye price of grain here and in Ireland being likely to deprive them of ye litle they have usually had from hence, and it can'te be sopos'd they should have notice, time enough, to provide for such a disapointmt. by planting more then usuall quantitys of Indian provisions (if they had ground to spare, which is not ye case of Barbados, that has most mouths), so it's fit to be consider'd, whether under ye incouridgmt. propos'd, those Colonys may not be so drain'd as will disable them from afordeing any suplys to ye Suger Islands, ye concequences of which I need not tell you. *Signed,* Rowld. Tryon. *Endorsed,* Recd. 8th, Read Oct. 10th, 1709. 2 *pp.* [*C.O.* 323, 6. *No.* 88; *and* 324, 9. *p.* 409.]

Oct. 9. New York. **767.** Samuel Bayard to Mr. Rayner. Col. Wenham is dead, *etc. Endorsed,* Extract, Recd. from Mr. Rayner, Read Dec. 23, 1709. ¾ *p.* [*C.O.* 5, 1049. *No.* 145.]

Oct. 10. **768.** Practisers of the Law in the Province of New York to the Council of Trade and Plantations. Petition against recent Act of New York for regulating fees. The Act was badly drawn by the Assembly and hastily passed by the Lt. Governor and Council, who declared their dislike of it. It obliges lawyers to accept any cause, if not retained before, at a retaining fee not exceeding 6*s*., and in no cause to have above £5 from first to last, though the value of money there is ⅓rd worse than sterl. and all merchandize ⅔rd dearer than here, *etc. Cf.* Nov. 29. *Signed*, Jno. Rayner. *Endorsed*, Recd. 10th, Read 25th Oct., 1709. 2 *pp.* [*C.O.* 5, 1049. *No.* 129.]

[? Oct. 10.] **769**. Memo. [by *Mr. Rayner*?] There was an Act of Assembly in my Lord Cornbury's time, where it is enacted that no fees shall be taken by severall officers therein named, but what shall be settled by Act of Assembly, *etc.*, so that Act must be disapproved as well as ye last, or they can take no fees at all. *No signature or endorsement.* 1 *p.* [*C.O.* 5, 1049. *No.* 128.]

Oct. 12. Combermere. **770**. Thomas Cotton to Sir Robert Cotton. I received yours of Oct. 8 with proposalls from the Council of Trade and Plantations to settle some poore Palatines in Jamaica, and in ye meantime to have them transported to Lynch Island, which belongs to me in right of my wife, heir to her father, Sir Thomas Lynch, deceased. I am willing to surrender for H.M. use in fee about 30 acres, part of the said Lynch Island, as is therein required for the promoting so good a work etc. Wee designe to give the remainder of this Island and Lynch Vale Plantation to our youngest son of that name, for his future benefitt and inheritance, but have made no settlement as yett, hopeing ye Government will be kind to him. If farther be needfull wee leave you a discressionary power to act for us. *Signed*, Thomas Cotton. *Endorsed*, Recd. Read Oct. 17, 1709. 1 *p.* [*C.O.* 137, 8. *No.* 56; *and* 138, 12. *pp.* 465, 466.]

Oct. 12. Whitehall. **771**. Council of Trade and Plantations to Edmund Jenings, President of the Council of Virginia. *Acknowledge* letter of June 13, refer to proceedings relating to complaints against S. Carolina seizing Virginian goods, and enclose Order. *v.* Sept. 6 and 26. Enclose H.M. letters mandatory for the appointment of boundary Commissioners, etc. Col. Hunter is now appointed Governor of New York. We do not hear of any named yet for the Government of Virginia. Enclosure to be forwarded to Col. Quary. [*C.O.* 5, 1362. *pp.* 425-427.]

Oct. 17. London. **772**. Josiah Thoms' receipt for letter to Mr. Jenings. (Oct. 12). [*C.O.* 5, 1362. *p.* 427.]

Oct. 18. Whitehall. **773**. Council of Trade and Plantations to the Queen. Representation upon an Act of Maryland (1708) *for relief of poor debtors*, which is made to continue for 3 years. Tho' this Act seems to have been made with a charitable intent, yet are there some clauses in it which may prove injurious as well to your Majesty's subjects there, as to the merchants here. Clause II. is impracticable, for many of the inhabitants may have dealings in sundry counties 100 miles from their abode, and it may so

1709.

happen that the Justices of the respective County Courts may give notice to the creditor to attend them, at severall places, on or about the same day, with regard to his several debtors; but if that case should not happen, yet the trouble and charge of travelling when the creditor has little hopes of recovering his debt, may incline him rather to give it up, than attend the said Justices. Clause IV. is a great hardship on the creditor, who besides the loss of his debt, shall likewise forfeit £10 for not obeying the summons, let the distance of place be never so great, or the creditor not think it worth his while to be at that trouble and charge to claim his debt. Clause VIII., enacting that no debtor, so discharged out of prison, shall pay any fees due to the Sheriff, is a great hardship on the Sheriff, who in that Province is obliged to maintain his prisoners. Clause IX., enacting that creditors living out of the Province shall have 12 months allowed them to claim their debts and receive their dividends, is hard upon European creditors, it being almost impossible for them to claim their debts within a year's time, especially during the war; and further the Justices are impowered by this clause to keep the produce of the debtor's estate in their hands without giving security for the same, till after the expiration of the said 12 months, which may be of ill-consequence to the creditors, many of the Justices of the Peace being but in mean circumstances. There are some other clauses liable to objections, but we shall forbear to trouble your Majesty therewith, and only presume to offer that the releiving insolvent debtors, who have lain some time in prison, by discharging them from their debts and imprisonments is an Act of humanity and agreable to the prudence of the Legislature of this Kingdom; but then such Acts have ever look'd back, and extended only to such debtors who were actually in prison some time before the making thereof; whereas this Act does not only look forward and discharge debtors, who shall be in prison on a certain day then to come, but as is before mentioned, the same is made to be in force for 3 years, and to the end of the then next Session of Assembly. This may give incouragement to idle extravagant persons to contract debts during all that time without any remedy to the creditor for recovery thereof, which may prove very prejudicial to trade, particularly with regard to the credit given to the planters and other inhabitants of that Province by the merchants here, whose debts ought therefore to be distinguished from those contracted between inhabitant and inhabitant, and excepted out of such Acts; otherwise they may reasonably be discouraged from giving any credit for the future, as several Maryland merchants who have attended us have declared, whereby the trade of that Province will greatly suffer. *Propose* that the Act be disallowed. [*C.O.* 5, 727. *pp.* 132-137.]

Oct. 18.
Whitehall.

774. Same to the Lord High Treasurer. Enclose accounts of incidental expenses of the Office, and pray for the payment of salaries due. [*C.O.* 389, 36. *pp.* 445-447.]

1709.
Oct. 18.
Whitehall.

775. Council of Trade and Plantations to the Earl of Carbury. Proposal to treat with him for lands similar to following. [*C.O.* 138, 12. *pp.* 468-470.]

Oct. 18.
Whitehall.

776. Mr. Popple to Sir Robert Cotton. The Council of Trade and Plantations having considered Mr. Cotton's answer to the letter I writ you Oct. 7, they have commanded me to transmit to you this further proposal following, viz. The settlement on Lynch Island, being only a provisional or temperary lodgment proposed for some of the Palatines till the rest can be conveniently settled on the Main Island of Jamaica, it is further proposed that the several Proprietors of the lands lying between the N.E. of Rio Grande and the S.E. of Point Morant, do surrender to H.M. in fee, a part of the said lands, in order to H.M. regranting the same to the said Palatines. It is presumed that the present owners of those lands will for so great a good, freely consent to this proposal, especially considering that what remains to them of the said lands will be of much greater value from such a settlement, than the whole is like to be without it. The same reasons which have induced Mr. Cotton to comply in what has hitherto been proposed their Lordships hope will induce him to give in to this proposal. [*C.O.* 138, 12. *pp.* 467, 468.]

Oct. 18.
Whitehall.

777. Council of Trade and Plantations to the Lord President of the Council. Remind his Lordship of Representation concerning Acts of Pennsylvania, Sept. 8, for fear of the inconveniencies that may happen by a lapse of time. [*C.O.* 5, 1292. *p.* 159.]

Oct. 18
Whitehall.

778. Council of Trade and Plantations to the Queen. We have considered the Act passed in the General Assembly of New Jersey, Dec. 1704, *for regulating negro, Indian and mulato slaves*, in which, tho' there are several good and useful clauses, there is one that inflicts inhumane penalties on negroes *etc.* not fit to be confirmed by your Majesty, and therefore we humbly offer that the said Act be repealed. [*C.O.* 5, 995. *p.* 20.]

Oct. 18.
Whitehall.

779. Council of Trade and Plantations to the Earl of Sunderland. *Reply* to Oct. 5. *q.v.* Having discoursed some merchants here concerned in the trade of New England and New York as likewise in that of Barbadoes and the Leeward Islands, we find that those Islands do mostly depend upon being supplyed with wheat and flower from the said Provinces, and in some measure from the Colony of Virginia, as likewise that considerable quantities of corn are yearly carryed from the Continent to Jamaica, and from thence exported to the Spanish West Indies; that when our Plantations on the Continent have an overstock of corn, more than is necessary for their own consumption, and for the supply of our Islands, they frequently send some to the Maderas in exchange for wines, corn being none of the enumerated commodities, nor do we know of any

1709.

Law that restrains the exportation of corn from the Plantations to the Maderas, or any other foreign country in amity with H.M.; but at present there is no such overstock in H.M. Provinces on the Continent; it being reasonable to believe that no more is produced there, than what may be sufficient for their own consumption, and the necessary supply of the said Islands; especially since we do not find that there are any granaries in those parts. The Crown of Portugal being in the Grand Alliance, and our trade to that Kingdom very beneficial to Great Britain, we are sensible that all fitting incouragemt. shou'd be given to the supplying the Portugueze with whatever they may want, as far as may be consistant with the good of H.M. subjects; nevertheless we are of opinion it will not be advisable that H.M. shou'd give incouragement, as is proposed, to the buying wheat and flower in any of our Plantations for the service of Portugal, whereby our Sugar Islands may be distressed for want of a sufficient supply, or at least the price of corn greatly inhanced to the oppression of the inhabitants, and the prejudice of that trade. Nor do we see wherein the proposal will be of use to Portugal, this being an unseasonable time of the year to send to the Plantations for corn, forasmuch as no British ships (for such only are to be imployed) which are now to undertake a voyage to those parts, will be able to depart from thence with their intended lading sooner than about the middle or end of April next, and before they can arrive at Lisbon, the next year's crop in Portugal may be got in. [*C.O.* 324, 9. *pp.* 410-412.]

[Oct. 18.] **780**. Petty Expenses of the Board of Trade, Midsummer to Michaelmas, 1709. *See* Journal of Council. 5 *pp.* [*C.O.* 388, 76. *Nos.* 86-88; *and* 389, 36. *p.* 447.]

Oct. 19. Whitehall. **781**. W. Popple to John Baber. Governor Handasyd having transmitted to the Council of Trade and Plantations an Act past in Jamaica *for the regulating fees*, if you have any objections to make to it you are to lay the same before their Lordships in writing on Friday morning next. [*C.O.* 138, 12. *pp.* 470, 471.]

Oct. 19. Whitehall. **782**. The Earl of Sunderland to the Council of Trade and Plantations. The Queen looking upon it to be necessary for her service that there should be a quorum of your Board constantly in town to dispatch divers matters of weight that happen to be frequently referred to you; H.M. has commanded me to signify Her pleasure to you, that whenever your private occasions shall call any of you out of town, you relieve one another, and that you take your turns for being absent, still taking care that so many of your number may remain in town as is necessary, in pursuance of your Commission, to go on with the dispatch of the business of your Board. *Signed,* Sunderland. *Endorsed,* Recd. 20th, Read 21st Oct. 1709. 1 *p.* [*C.O.* 388, 76. *No.* 89; *and* 389, 36. *p.* 448.]

1709.
Oct. 19.
Whitehall.

783. W. Popple to Leonard Compere. The Council of Trade propose to treat with you for lands in Jamaica *as Oct.* 18; and require your objections, if any, to the Act *for regulating fees, etc. as* No. 781. [*C.O.* 138, 12. *pp.* 471-473.]

Oct 20.
Whitehall.

784. Mr. Popple to Mr. Attorney General. Encloses, for his opinion in point of Law, Act of Jamaica *for the further quieting of possessions, etc.* [*C.O.* 138, 12. *p.* 474.]

Oct. 20.
Spanish Town.

785. Governor Handasyd to the Council of Trade and Plantations. Since my last of Sept. 8, I have little materiell to offer, onely the following perticulars. I told you there were 100 pyrats upon the Spanish coast; they are now above 300 strong and I doubt will every day encrease unless some method cann be taken; as I am informed the Governor of ye Havannah as also the Governors of Portabell, St. Jago upon Cuba, the Governor of Carthagena and all ye French Governors upon Cuba as Port Lewis, Petteguavers, Lugan etc. have all offered to give them a generall pardon if they'll come in and serve them against H.M. and her Allies, but they have utterly refused to be concerned with them notwithstanding the chief of them is a French man; they have sent me severall messuages by prisoners they had taken of ours and used them very well, that in case they can have H.M. the Queen of England's pardon and protection, that they are willing to come to Jamaica and to serve H.M. and her allies faithfully, haveing as they say, never done anything against H.M. nor her Allies, the truth of which I am a stranger to, onely what ye two depositions which I have sent to the Secretary of State declares; I could wish with all my heart that some method could be taken to prevent their growth, least they come to soe great a number that may not easily be overcomed, there being severall resolute persons of noe fortune in these parts which will be ready to joyne with anything, tho' ye gallows were to be their reward. There is since my last brought in a large Spanish ship and a small Spanish sloop, the one loaden with wine, olives, figgs, and other fruit, the other loaden with hydes and tallow, the value of them I doe not know, both taken by Jamaica privateers. Haveing heard nothing since of me and my Regimt.'s being released makes me very uneasy, since I find noe recruits is like to come, and ye Regmt. haveing lost a great many men; therefore I hope in case I am not to be releaved so soon as I expected that orders will be given to my officers that is there, for recruiteing; there is as many of them in England as I can spare from doeing duty here, they being dayly upon some command either at sea or land. As to other affairs of ye Island, it is at present pretty healthy; H.M. ships the *Crown* and *Roe Buck* is upon the coast of Carthergena in hopes to receive a confirmation of ye designe in relation to ye gallion. The ships is as yet not come to ye Havannah from Laverdicrous, the French and Spaniards both expects a strong squadron from France the truth of which I am a stranger too. *Signed,* Tho. Handasyd. *Endorsed,* Recd. Read

Dec. 13, 1709. *Addressed. Sealed.* 1¾ *pp.* [*C.O.* 137, 8. *No.* 74; *and* 138, 13. *pp.* 73-76.]

Oct. 21.
Whitehall.
786. Mr. Popple to Mr. Pery. Asks for several accounts relating to the trade of the African Company, including the number of negroes furnish'd by the Company and separate traders to the Plantations. [*C.O.* 389, 20. *pp.* 449, 450.]

Oct. 21.
Whitehall.
787. Mr. Popple to Richard Harris, mercht. Similar questions to the separate traders to Africa. [*C.O.* 389, 20. *pp.* 450, 451.]

Oct 21
Whitehall.
788. Mr. Popple to the Commissioners of the Transport Office. Asks for estimate of cost of provisions and transport of 1000 Palatines to Jamaica. [*C.O.* 138, 12. *p.* 475.]

[Oct. 22.]
Saturday.
one o'clock.
789 Governor Hunter to Mr. Popple. Requests that a letter for Mr. Micajah Perry may be forwarded *via* a ship now gooing to Pennsylvania, *etc. Signed*, Ro. Hunter. *Endorsed*, Recd. 22nd, Read 25th Oct. 1709. 1 *p.* [*C.O.* 5, 1049. *No.* 127; *and* 5, 1121. *p.* 437.]

Oct. 24.
Windsor.
790. Order of Queen in Council. Repealing 6 Acts of Pennsylvania, 1705. *Cf.* Sept. 8. *Signed*, John Povey. *Set out*, Penn. Archives, 1st ser. I. 156. *Endorsed*, Recd. Read Oct. 27, 1709 2*pp.* [*C.O.* 5, 1264. *No.* 83; *and* 5, 1292. *pp.* 161, 162.]

Oct 24.
Windsor.
791 Order of Queen in Council. Approving Representation of Sept. 8, 1709, and ordering accordingly that it be recommended to Mr. Penn by the Council of Trade to cause all such Laws as shall hereafter be past in the Assembly of Pensylvania to be transmitted and presented for H.M. approbation or disallowance in Councill as soon as conveniently may be after the same shall have been past there, and to endeavour to get a Law past in the Assembly there for renouncing the Pretender and declareing the allegiance of the inhabitants to H.M. As also that notice be given to Mr. Pen or his Agent by the Council of Trade that in case the Assembly of Pensylvania shall think fitt to re-enact the Law now disallowed *for the further securing the administration of the Government*, with a proviso that upon the death or absence of the Lieut. Governr. the Proprietary doe nominate an other and obtain H.M. approbation within 6 months after such death or absence, H.M. will be gratiously inclined to approve of the said Act. And H.M. taking notice upon this occasion that divers Acts transmitted from the Plantations have been disallowed by H.M. by reason of some clause or clauses therein which have not been thought fitt for H.M. approbation, and the other parts of the said Acts have appeared good and profitable for the welfare of H.M. subjects there, H.M. is pleased to order that where any such Acts shall

1709.

be disallowed by H.M. on the Representation from the Lords Commrs. of Trade, notice be given to the respective Governments or their Agents by the said Lords Commrs. of the reasons for repealing the said Acts, to the end that upon re-enacting the same, the Assembly may form them accordingly. *Signed*, John Povey. *Endorsed*, Recd. Read Oct. 27, 1709. 2½ *pp.* [*C.O.* 5, 1264. *No.* 84; *and* 5, 1292. *pp.* 163, 164.]

Oct. 24. Windsor. **792**. Order of Queen in Council. Repealing Act of New Jersey *for regulating negros etc. Cf.* Oct. 18. *Signed*, John Povey. *Endorsed*, Recd. Read Oct. 27, 1709. 1½ *pp.* [*C.O.* 5, 970. *No.* 86; *and* 5, 995. *pp.* 22, 23.]

Oct. 24. Whitehall. **793**. Mr. Popple to Mr. Jenings. Encloses an "authentick example" of Order in Council, Sept. 26. *etc.* [*C.O.* 5, 1362. *p.* 428.]

Oct 24. Boston. **794**. Governor Dudley, Col. Nicholson, Col. Vetch, and Capt. Moody to [? *the Earl of Sunderland.*] We have omitted no opportunity since the receipt of H.M. commands for the intended expedition to Canada, to transmit to your Lordships an account of our preparations *etc.* (*v.* June 28, July 8 *etc.*) We awaited the arival of the Fleet with earnest desires and patient expectation, until the 11th instant, at which time we had the honour of your Lordships letters of the 27th of July by the *Enterprize* man of war, importing that for divers weighty considerations H.M. had thought fit to lay aside at this time the designed Expedition to Canada, etc., withal signifying her Royal pleasure, that consideration be had here upon the place, whither with the forces at present on foot, and other preparations made, it be expedient to attempt any places belonging to the enemy at Nova Scotia, and particularly Port Royal, and then to prosecute the same without delay. And a general consultation being had thereupon, at a meeting of the Governours of the Massachusetts, New Hampshire, Connecticott, and Rhode Island (attended by several Members of the Council and Assembly of their respective Governments) with the Honble. Colo. Francis Nicholson, Col. Vetch and Colo. Moody, it was unanimously advised that an attack upon Port Royal, agreeable to H.M. directions be undertaken and proceeded upon forthwith (*v. infra*). We well supposing by the general expression in H.M. directions [of other preparations made] it had equal reference to the service of the ships of war, especially those appointed to attend the Grand Expedition, as to the Forces; for without their being imployed and used therein, it is impracticable to support such an attack, and accordingly demanded the attendance and assistance of the Captains, ships and men, in that important enterprize, judgeing it a service of the last consequence to H.M., there seeming to be so favourable an opportunity and prospect of success, by the favour of God for the reduction of that place to H.M. obedience, and removeing that nest of spoilers and robbers, who are so great a plague to all H.M. Plantations in America, by infesting and interrupting their intercourse of commerce and trade, and ye Fishery being so nigh and advantagiously situate, to make their enterprizes upon all navigation, and are every year strengthened and enriched by their spoils made upon H.M. subjects, nor were we sensible, that the attendance of this so necessary and important service would have anyways infringed the orders of the Lord High Admiral to the said Captains by the directions of H.M. Governours of New England and New York to proceed to the Isle of Providence, and the Bahamas, which may well be pursued and in better season, after this descent is over, if any service to the Crown can be done there; of which there is no present view, and gave our opinion accordingly under our hands to ye sd. Captains. Notwithstanding all which they would by no means be perswaded to consent to proceed to Port Royal, so that hopeful and probably successful enterprize (for which all other preparations were in readiness) is for this time disappointed. The consequence whereof we fear will be very prejudicial to H.M. interests in more respects that one; Besides the total loss of the extraordinary charge of the Crown, and of these Governments, in the summer preparations, which will be a very heavy burthen, and great discouragemt. to H.M. good subjects that have with all alacrity express'd their readiness and laid out themselves to do service for H.M., and their country, and to give check to the insolence of their enemies. We humbly pray your Lordship to present to H.M. the inclosed humble representation and address from ourselves, with the Governours of Connecticot and Rhode Island, and aske your Lordship's favour in furthering the obtainment of the things therein petition'd for, hopeing that according to our advice at the Congress Meeting to the respective Governmts., they will speedily depute some persons to accompany the Hon. Col. Nicholson, as their Agents to attend H.M. with further applications in this weighty concern. And if H.M. in her Royal wisdom may think fit to revive the aforesd. grand Expedition to Canada *etc.*, and shall be pleased to order the same to be proceeded on the next year; or that a lesser expedition be formed against Port Royal, which will not demand near the number of ships and troops as the former, we humbly offer our opinion that it will be absolutely necessary for the good of the service, that ye ships of war that shall be appointed to assist the same, be perfectly under the direction of the person who shall have the honour of H.M. Royal Commission to be Commander-in-Chief of the Expedition in order to prevent all misunderstandings between the land and sea part, which on some occasions of like nature in the West Indies has unhappily frustrated and ruined hopeful designes. We account it our duty further to acquaint your Lordship that in all this affair referring to the support of ye Forts in frontiers, and the attack on Port Royal, we have not been able to obtain any advice or assistance from the Governmt. of New York, notwithstanding the repeated letters sent them for that purpose. *Signed*, J. Dudley, Fr. Nicholson, J. Moody, Sam. Vetch. 3 *pp.* *Enclosed*,

1709.

794. i. Congress of the Governors of Massachusetts, New Hampshire, Conneticutt, and Rhode Island, with Col. Nicholson, Col. Vetch, and some of the Councilers and Representatives of the several Governments. Lord Sunderland's instructions of July 1, 1709 to Col. Vetch were read (*as in preceding*).

An Address to H.M. was drawn up and agreed to, stating that "We are of advice the Wood-Creek Fort and the other two forts, which have been built with great expence and labour, and are of great importance, be supported this winter, in just hopes that H.M. will revive the Expedition against Canada in the Spring. *Voted*, that the Governor and Government of New York and the Jerseys be advised of this vote, and our oppinion that H.M. regular forces be improved, as far as they will amount to ye numbers of 300, at Fort Wood-Creek, 150 at Fort Nicholson, 50 at Fort Ingoldsby. And the rest to be drawn out of the forces raised and marched on that side by the Queen's command. And that the Governor and Government of Conneticutt be advised, of our oppinion herein, and it is recommended to them, to do their quota of this duty, and that we shall thereupon abate any expectation from them in the Port Royall expedition hoped for, and in case that expedition do not proceed, that it be recommended to the respective Governmts. of Massachusetts, Rhode Island, and New Hampshire, to afforde their assistance in proportion with the rest of ye Governments concerned for that service. *Voted*. That we are of advice, that an attack upon Port Royall by the forces of the Massachusetts, Rhode Island and New Hampshire, agreeable to H.M. direction be undertaken, and proceeded upon forthwith, and that a sufficient number of men of war, now in the Government be imploid and used therein, it being a service of the last consequence to H.M. and ought therefore to be attended accordingly, which is hereby recommended to the respective Governments. The Hon. Col. John Moody offred a memoriall referring to the state of Newfoundland. *Voted*, that it would very much conduce to the service if Col. Nicholson will attend H.M. with the Representation and Address now agreed upon, and set forth the great expence of this year's preparation *etc.*, and the great inconvenience all these Governmts. will labour under by the French and Indians, if a decent upon them do not proceed the next year. And further advised, that a gentleman from each of the Governmts. as their Agent do accompany and assist him in his application to H.M. in this affair. And that a Sachim of each tribe of ye five Nations at their election be procured to attend him in his voyage. *Signed*, J. Dudley, G. Saltonstall, Fr. Nicholson, Saml. Vetch, Sam. Cranston. *Copy*. 3 *pp*.

1709.

794. ii. Address of the Governors of the Massachusetts Bay, New Hampshire, Connecticott and Rhode Island at a Congresse with Col. Nicholson, Col. Vetch and several Members of the Council and Representatives to the Queen. Upon the communicating to us your Maj'ty.'s commands to desist any further pursuing the designed expedition at this time, the war in Europe haveing demanded the present service of your Majesty's ships of war and forces intended for that Expedition nearer home, *etc.* We crave leave humbly to addresse your Sacred Majesty with our repeated grateful recognition of your Majesty's most gracious regard to your good subjects, of these your Majesty's several Governments, in your Royal resolution and advance, towards the aforesd. Expedition; to ease them of the oppressive burthensom charge, which for divers years past, they have been necessarily put to; for the defence of themselves and your Majesty's interests in these your Northern Plantations, against the insults, of the French, in their neighbourhood, and their dependant Indians; and withall, to let your Majesty know, that there was all dutiful and cheerful obedience paid, to your Royal Commands, received the last spring, in doing what was required, on the part of your Majesty's said several Governments; towards prosecuting the said designed Expedition, their several quotas of effective men for the same; haveing stood, under their arms, ever since the 20th day of May past, and transports, with provisions, and other stores, for support of the force, have been in readiness for their embarcation, at six hours warning, to the aggravated and insupportable charge, of the respective Governments. We most humbly pray your Majesty's most gracious consideration and assistance therein: as also, that the aforesd. intended Expedition, may be revived, and prosecuted with effect the next year, May your Majesty in your royal wisdom think fit to order the same. And if in the mean time any new overtures be made for a peace; that the sixteenth article in the Preliminaries lately concerted for that purpose, may be enlarged: so as to include Canada and Nova Scotia, that they be rendred into your Majesty's hands: particularly Port Royal; which is of the last consequence to all your Majesty's Colonys in America, as to Trade, and the Fishery; it being, originally, a British Colony, and now contained in the Letters Patent, for the Massachusetts Province: lies within 80 leagues of their Capes, in the course of all shipping from Europe, and the Southern Plantations: and is become the receptacle of all privateers, from Martineco, and other French Islands, being near hand to carry in their prizes, taken along this shoar, even from Virginia. And we have suffered very heavy losses by them, in our trade, and

Navigation, this summer besides the unspeakable advantage that will accrue to your Maty's. Crown, in Naval Stores, fishery and furrs, by Canada and Nova Scotia being under your Maty.'s obedience, and should it continue in the hands of the French, they will soon grow so numerous, and be so strongly fortifyed, that it will be hard to reduce them. Rehoboth, in the Massachusetts, Oct. 14, 1709. *Signed*, J. Dudley, Samll. Cranston, G. Saltonstall, Fr. Nicholson, Sam. Vetch. 1 *p.*

794. iii. Address of the principal inhabitants and merchants at Boston, and other adjacent places, to the Queen. Among the many thousands, that rejoyce in the privileges, they enjoy under your Majesty's most excellent administration, wee, with all humility, appear with our gratefull acknowledgments of your Majesty's favours towards us, as in many other instances, so in particular for the vast expence your Majesty has been at the summer past in sending hither shipps of warr, military officers *etc.* for the reduceing of the French settlements in Nova Scotia and Canada *etc.*, which this country rejoyceing in hopes of, with great chearfullness, contributed their part, for the raiseing the number of men your Majesty required for that service. Our enemys dreaded the event of this affair, hearing that vast preparations were made against them, and would, wee doubt not (through the divine blessing) have become an easie prey in a few days to your Majesty's shipps of warr, which have been sent hither, and other forces raised here, had the Commanders of the friggotts been ordered to have gone without delay; but they refuseing to goe, and all power here to oblidge them failling, these Colonies are reduced to great distress, our enemies haveing their fears scattered, and being flushed with success, doe looke on us, as a people forsaken of your Majesty, and as left to be a prey to their teeth. The privateers from Port Royall have ye summer past taken many of our vessells with much of our substance, and will, wee fear, with our eastern salvage enemys, make dreadfull attempts upon us this winter, while those at Canada will endeavour to alienate the five Nations of Indians from your Majesty's service, and possibly prevail with them to joyn in their attacks on those parts as well as on these frontiers. Wee being surrounded with difficultys, humbly prostrate ourselves at the feett of your most excellent Majesty, and as our Governour, with other principall persons of this, and the neighbouring Governments, have desired the honourable, industrious and couragious, Col. Francis Nichollson, to be their Agent in this extremity: wee allsoe judgeing him faithfull to your Majesty's interest, well acquainted with the state of affairs of this country, and what are the best methods for our releif, referr the

more full representation of our case to his prudence: beseeching your excellent Majesty to revive our languishing spiritts by such supplys early in the Spring as may (by the favour of Almighty God) be our deliverers from the annoyance of our troublesome and bloody neighbours; but if your Majesty in your great wisdom shall see meett to hearken to, and aggree on terms of peace, before a reduction of Port Royall to your Majesty's obedience, can be effected, wee humbly beseech your Majesty that Nova Scotia may be reserved for, and annexed to your Brittish dominions. And since it is for the glory of your Majesty, suffer our desires to be enlarged, and to pray, that Canada in those terms of peace may allsoe come into your thoughts. Without reserve of Port Royall, that people, that, in a sense, may be now called no people, will in time endeavour the razeing your Majesty's interests here. That America, as well as Europe may be freed from the French tyranny, both ecclesiasticall and civill by the blessing of the Most High, on your Majesty's endeavours, *etc. etc.*, are the constant prayers of, *Signed*, Charles Hobby *and* 66 *others*. 1½ *pp*.

794. iv. Account of the charges accruing for the intended expedition to Canada; to the Massachusetts Bay, £30,811 12*s*. 10*d*.; (*v*. Jan. 31, 1710. *No*. XV.) to New Hampshire £3,500; to Rhode Island, £6,700; *plus* £5,000 more before the forces can be disbanded. *Total*, £46,011 12*s*. 6*d*. 1 *p*.

794. v. Governor Dudley to Capt. Clifton of H.M.S. *Kinsaile*, Capt. Davis of H.M.S. *Maidstone*. Oct. 12, 1709. *Communicates* Lord Sunderland's Instructions concerning the Bahamas, July 27, *q.v*. *Continues*; I cannot take measures till after the congress of H.M. Governours to be holden three days hence at Newport, Rhode Island. I desire you will stay in this Port till you hear from me, unless you have other orders I am not knowing of, *etc*. *Signed*, J. Dudley. *Copy*. 1 *p*.

794. vi. Circular Letter from Governor Dudley to the Captains of H.M. ships of war desiring their attendance at a Council of War to consider an attack upon Port Royal, *etc*. Boston, Oct. 18, 1709. *Signed*, J. Dudley. *Copy*. ½ *p*.

794. vii. Governor Dudley, Cols. Nicholson, Moody and Vetch, to Lt. Governor Ingoldsby, desiring him to order H.M.S. *Kinsale* and *Maidstone* to joyne the other frigates and troops in an attack upon Port Royal. Boston, Oct. 18, 1709. *Signed*, J. Dudley, Fr. Nicholson, Saml. Vetch, J. Moody. *Copy*. 1 *p*.

794. viii. Capt. Clifton to Governor Dudley. On your former request I have defer'd sailing this seven days last past, but can't think myselfe safe to delay it longer, for you are sensible by the copys I sent I am order'd to repair

to my station with the ships under my command: so desire your excuse for not waiting on you and the other gentlemen *etc.*, being now with ye *Maidstone* endeavouring to put my orders in execution with all expedition. *Kinsale,* Oct. 18, 1709. *Signed,* Jno. Clifton. *Copy.* ½ *p.*

794. ix. Governor Dudley, and Cols. Nicholson, Vetch and Moody to Capts. Thomas Matthews, Mathew Tate, John Clifton, (*Nicholas*) Smith, Richard Davis, Commanders of H.M. ships of war, Nantaskett. *Recite events relating to the intended expedition against Canada. Continue*;—In pursuance of instructions from White Hall, at a conference of Governors, officers, and members of Council and Assembly, it is unanimously advised that an attaque upon Port Royall, agreeable to H.M. direction, be undertaken and proceeded upon forthwith, and that a sufficient number of men of war now in the Government be imploy'd and used therein, and the Governour of New York particularly directed to give all assistance in hiss power, it being a service of ye last consequence to H.M. Now this important enterprise so necessary for H.M. service and interests and for wch. there seems to be so favourable an oppertunity and prospect of success by ye favour of God (as by the relation of divers prisoners lately returned from thence appears) depends upon ye assistance of H.M. ships under your command, or the greater number of them, of wch. Capt. Mathews and the *Province* gally are two, whose service we have no reason to doubt of. There are four others, vizt. Capt. Clifton, Capt. Tease, Capt. Smith, and Capt. Davis, whose orders are to attend the Governor of New England and New York for ye recovery of the Isle of Providence and Bahamas from ye French and put them into ye hands of ye English subjects, as ye orders to ye respective Capts. import, as well as the letters from my Ld. Sunderland to the several Governors. Since which ye said Governors with Col. Nicholson and Col. Vetch have used all possible means to get advice whither there be any French resideing at Providence or any other of ye Bahamas, and where H.M. subjects ye late inhabitants of ye sd. Islands are, and being made certaine that there are no French to be removed from thence, nor any of H.M. subjects that offer to return and dwell there, it is determined to delay that voyage untill February, wch. season of ye year will well suit that service, if there be occasion, and in the mean time, that a decent be made upon Port Royall as by ye aforerecited vote is adviced agreeable to H.M. commands. We therefore desire and expect that you do freely and unanimously consent and subscribe your resolution to attend that service and that your ships be forthwith fitted and victualled for three months accordingly, and that you

will put forward the service at Port Royal with your ships and men in such maner as a Council of war upon ye place consisting of such members as shall be appointed to set therein shall think fitt, least any unhappy missunderstanding should prevent the desired success as it has done on several occasions of like nature in the West Indies. Of this we must be forthwith resolved, for that there are 1200 men well arm'd, cloathed and disciplined with transports ready for their embarcation in 12 hour's (and provisions) continued under pay to the very great charge of the Governments, and if this enterprize should not proceed, all the past great charge and advance of the Crown will be wholly lost, *etc.* Boston, Oct. 19, 1709. *Signed,* J. Dudley, Fr. Nicholson, Saml. Vetch, J. Moody.

794. x. Same to Capt. Geo. Martine, Commander of H.M.S. *Dragon,* Nantaskett. We last night acquainted you in ye Council Chamber of our resolution to make a decent upon Port Royal, *etc.* To several of ye Captains we have written this morning (*v. preceding*). Notwithstanding your answer to us alledging ye Ld. High Admirall's possitive orders to saile to Newfoundland where in an [= ? *our*] oppinion 'twill very well agree wth. ye present projected decent it being in the way thither, and we are also of oppinion, that ye appearance of your ship and the *Guarnsey* before Port Royal to be there seen, will certainly give the enimy the thoughts that ye fleet from England is arrived for their reduction, and therefore we desire this of you to accompany ye fleet thither though you leave them in 24 hours after their arrival and proceed your voyage to Newfoundland from thence according to my Ld. High Admirall's Orders, and this we are confident will be no hinderance to the service at Newfoundland, for that the appointed time is already past for their ships sayling, and must certainly be gone before your arrival there. Boston, Oct. 19, 1709. *Signed as preceding.* 2 *pp.*

794. xi. Capt. Smith to Governor Dudley. *Reply to No. IX.* I should be very glad to answer your expectation, could I beleive myselfe safe in it; but my Orders from my Lord High Admiral directs me to receive your commands for the Bahama Islands, *etc.* I am accordingly using my utmost endeavours to get the ship in a condition to execute that service. But if your Excellency do's not designe to send me that way, do conceive it to be my duty to put in execution the other part of my Instructions, by makeing the best of my way to Virginia and cruising there as commanded, unless you have any particular orders from H.M. or my Lord High Admiral to the contrary, *etc.* *Enterprize,* Nantasket Road. Oct. 20, 1709. *Signed,* Nich. Smith. 1 *p.*

1709.

794. xii. Capt. Martine to Governor Dudley *etc. Reply to No. X.* I haveing received pressing orders from my Lord High Admll. to proceed immediately with H.M.S. *Dragon* and *Guarnsey* to Newfoundland *etc.*, I will adventure to stay till Sunday for what dispatches your Excellency are to send to ye Queen, and then (God willing) per first oppertunity of weather, shall saile for England. Oct. 20, 1709. *Dragon,* Nantaskett Roade. *Signed,* G. Martine. 1 *p.* [*C.O.* 5, 9. *Nos.* 32, 34-45; *and* (duplicate of *No.* iii.), 47.]

Oct 24. **Windsor.** **795**. Order of Queen in Council. Repealing Act of Maryland *for relief of poor debtors* (*Cf.* Oct. 18). *Signed,* John Povey. *Endorsed,* Recd. Read Oct. 27, 1709. 1¼ *pp.* [*C O.* 5, 716. *No.* 67A.; *and* 5, 727. *pp.* 138, 139.]

Oct. 25. Whitehall. **796**. Mr. Popple to Lt. Governor Gookin. Encloses letter to be forwarded to the President and Council of New York. [*C.O.* 5, 1292. *p.* 160.]

Oct. 25. Boston in New England. **797**. Governor Dudley to Mr. Popple. This comes by Col. Nicholson and Col. Moody, who are determined to sayle with 12 hours warning that prevents mee of doing my duty in writing largely to the board, in which I also hope to be excused, those Gentlemen having been here all the summer past and seen the dutifull preparation made here for a descent upon Canada to a very great expence of the severall provinces, wherein I am well assured they will represent me to have neglected nothing necessary for the service, which yet is diverted by H.M. greater affayres, and we must patiently bear the disappoyntment, especially while we can hope it will be revived the next spring, which the Gentlemen coming home I hope will solicite. A few dayes since arrived the *Supply,* bringing H.M. stores for Piscataqua, and I am now by the Comissary Genral and a Comittee of that Government taking care to land and dispose in safety, and have given notice thereof to the board of ordinance. I humbly thank their Lordships' care at the board to put that supply forward, and shall alwayes give account of the thrifty expence of them annually as I am commanded. By the mast shipps who are now in harbour I shall humbly offer to their Lordshipps the year's accounts as is my duty, being the only safe conveyance from these Governments, *etc. Signed,* J. Dudley. *Endorsed,* Recd. 6th, Read 8th Dec., 1709. *Addressed. Sealed. Holograph.* 1 *p.* [*C.O.* 5, 865. *No.* 21; *and* 5, 913. *pp.* 87, 88.]

Oct. 25. Boston. **798**. Governor Dudley, Col. Vetch and Capt. Moody to [? *the Earl of Sunderland.*] It haveing been fully resolved at the Congress of the several Governours in conjunction with Colo. Nicholson, Colo. Vetch and Captain Moody to attack Port Royal, providing a sufficient number of H.M. ships could have been prevailed with to assist therein as being absolutely necessary, not onely to offend the enemy's Fort or Battery's, but to protect the transports and victuallers from ye enemys ship or ships of war, which were expected there, but after all possible endeavours used by us, it was impossible to prevail with any of H.M. ships, save the *Chester* (whose station was to attend the Government of New England) to go upon the sd. expedition, which not being a sufficient force for the sd. enterprize, we are all necessitated to desist from any such attempt: than which nothing could be more for the honour of the Crown, and the interest and advantage of H.M. Colonys in these parts, to which the sd Port Royal is become another Dunkirk, We do therefore humbly pray your Lordship to represent to H.M. the absolute necessity of this place being reduced to H.M. obedience, either by force of armes, or comprehended, if a Treaty of Peace should intervene: but if the war continues we begg your Lordship to lay before H.M. that unless this place be reduced, this country must be abandoned as to it's trade; as Colo. Nicholson will more at length inform your Lordship and the Ministry. And if H.M. would be pleased to order four frigatts with a detachment, if it were but of 500 marines, or other regular troops, together with a bomb ketch, and two large morters and other necessary stores for them to be at Boston by the latter end of March in conjunction with what troops we shall get ready here, we should hope by God's assistance to give a good account of that troublesom nest of privateers, so much the bane of all H.M. subjects upon this Continent, providing always H.M. shall be pleased to order it so, that the ships of war shall be obliged to obey the orders of the Commanders in Chief of the Expedition, or at least what shall be judged necessary for them to do by the result of a Council of War, of which the several Commanders of ships to be members: the full state of this affair we wholey intrust to Colo. Nicholson, who hath been prevailed with by the unanimous applications of the several Governours, to lay the distressed condition of these Colonys before H.M. and your Lordships of the Ministry, he haveing been a witness to all the preparations which were made here in obedience to H.M. commands: as also capable to represent the sad circumstances this British Continent will be under, if H.M. be not graciously pleased to renew the intended Grand Expedition the next year, or at least to order that an expedition be formed against Port Royal as before projected, in which we most humbly and earnestly begg your Lordship's favour and assistance. H.M.S. *Dragon* and *Guernsey* being in readiness to sayle for England, and no other oppertunity probable to present, before the Mast fleet, who perhaps may not saile until the Spring, We have prevailed upon Colo. Nicholson to take passage on these ships at twelve hours notice, to attend H.M. with the humble representation of our difficult and hazardous circumstances, hopeing that some persons from the several Governments will be deputed soon to follow him, and in the mean time we shall forward all the advices the publick affairs shall demand by every conveyance, *etc.* *Signed*, J. Dudley, Sam. Vetch, J. Moody. *Endorsed*, R. by Col. Nicholson, Dec. 6. 2½ *pp.* [*C.O.* 5, 9. *No.* 33.]

1709.
Oct. 25.
Whitehall.

799. Council of Trade and Plantations to the Earl of Sunderland. Since your Lordship's letter of Sept. 20, we have discoursed with Captain Jones and Mr. Whitchurch, who do concur with what was proposed by us to my Lord High Treasurer, Aug. 30, for settling the poor Palatines on Jamaica etc. *Refer* to their Memorial and estimate of Transport Office, Oct. 25. We have likewise proposed to Mr. Cotton, who is Proprietor of Lynch Island, the surrendring 30 acres part of the said Island to H.M. in fee, which he has consented to, as also that the timber on the said Island should be made use of for building of hutts for the said Palatines, provided that leave be given him to cutt the like quantity of timber elswhere on H.M. lands ungranted, in case he should need any for the further settlement of Lynch Island. And whereas the settlement on Lynch Island is only a provisional or temporary lodgment proposed for the Palatines, till they can be conveniently settled on the main Island of Jamaica, we have further proposed to Mr. Cotton and Mr. Compere, who are Proprietors of lands lying between the North East of Rio Grande and the S.W. of Point Morant, that they do likewise surrender to H.M. in fee a part of the said lands, in order to H.M. regranting the same to the said Palatines. There are several other Proprietors of lands lying within those limits, but upon enquiry we do not find that any of them are in this Kingdom. As soon as we shall have received answers to the foregoing proposals, as also from the Transport Office and have duly considered the same, we shall dispatch our Report to H.M. upon the whole matter. This we thought necessary to inform your Lordship of, that a delay in this affair might not be imputed to us. [*C.O.* 138, 12. *pp*. 176-178.]

Oct. 25.
Whitehall.

800. Mr. Popple to the President and Council of New York. Encloses H.M. letter to Col. Ingoldesby, revoking his Commission, (Sept. 17), which they are immediately to deliver to him. [*C.O.* 5, 1121. *p.* 438.]

Oct. 25.
Transport Office.

801. The Commissioners of the Transport Office to Mr. Popple. We transmit you an estimate of the charge of transporting 1000 Palatines to Jamaica (*Cf.* Oct. 21). *Signed,* Nich. Roope, Tho. Colby. *Endorsed,* Recd. Read Oct. 26, 1709. 1 *p. Enclosed,*

801. i. *Estimate as above.*

4000cwt. of bisquet at 26/- per cwt.	£5200	0	0
500cwt. of oatmeal at 45/- per quarter, 8 bushells to the quarter, each bushell weighing 43lb. makes 163 quarters	£366	15	0
500cwt. of pease at 45 per quarter, eight bushells to the quarter, each bushell weighing 59lb. makes 119 quarters	£267	15	0
200 busells of salt at 5/- per bushell	£50	0	0
500 bedds, pillows and blanketts, each blankett being 2½yd. long and 1½yd. wide, at 8/6 per sett	£212	10	0
	£6097	0	0

1709.

The charge of transporting 1000 Palatines to Jamaica, (including provisions to be found by the owners of the ships), will amount to £8 per head, £8,000. *Signed as preceding.* 1 *p.* [*C.O.* 137, 8. *Nos.* 57, 57.i., *and* 138, 12. *pp.* 479, 480.]

[Oct 26.] **802**. Mr. Atwood, late Chief Justice of New York, to the Council of Trade and Plantations, on behalf of himself, Col. Abraham De Peyster, Capt. Robert Walters, Dr. Staats, Abraham Governeur, etc. Prays to be restored to his office, and reviews factions in New York since Lord Bellomont's time. *Signed,* Wm. Atwood. *Endorsed,* Recd. Read Oct. 26, 1709. 20 *pp.* [*C.O.* 5, 1049. *No.* 131.]

Oct. 26.
Boston

803. Mr. Addington to Mr. Popple. The hurrys of the past summer in the frequent sittings of the General Assembly and intermediate Councils for the necessary preparations for the design'd expedition to Canada, etc., against the arrival of the expected fleet from Great Brittain; and the insults we have had on the coast by French privateers from Port Royall, has demanded the service of my whole time, so that I have had no liesure to get ready the Journals *etc.*, but must pray your excuse until the next by the mast fleet. The disappointment of the expedition, for which this Government stood ready in all points for so many months together, has put them to an excessive aggravated charge, and the great losses suffered by the enemy has brought us into very distressing circumstances, and exposed us to many future inconveniences. Col. Nicholson returns home by H.M.S. *Dragon,* at the desire of the Governors of H.M. several Colonies, to attend H.M. with a humble Representation of the present state of affaires here, and withal humbly to pray H.M. gracious consideration thereof, and in especial manner referring to Port Royall, that nest of spoilers so near to us, that if the war continues, a sutable force may be ordered for the reduceing thereof; or if any new overtures for Peace be proceeded in, it may be comprehended, so as to be rendred under H.M. obedience, as it anciently was. It being of the last consequence to all H.M. Plantations in America relating to trade and commerce and particularly to the Fishery here. If you please to give what assistance thereto shall lye within yr. power, it will be a very especial service to H.M. interests. *Asks for* receipt for papers sent by H.M.S. *Falmouth,* Capt. Riddell. *Signed,* Isa. Addington. *Endorsed,* Recd. 6th, Read 9th Dec., 1709. 2 *pp.* [*C.O.* 5, 865. *No.* 24.]

[Oct. 26.] **804**. Jno. Rayner to the Council of Trade and Plantations. Explains Memorial of Oct. 10. *Endorsed,* Recd. Read Oct. 26, 1709. 1 *p.* [*C.O.* 5, 1049. *No.* 130.]

Oct. 26.
Whitehall.

805. Council of Trade and Plantations to the Earl of Sunderland. Enclose new seals for the Plantations, prepared by John Roos, H.M. Seal-cutter, together with draughts of warrants

1709.

for their use, to be laid before H.M. for her signature. [*C.O.* 324, 9. *p.* 413.]

Oct 27. **806**. Resolution of the House of Representatives of the Massachusetts Bay, Oct. 27, 1709. The House gratefully acknowledges the good services of Col. Nicholson, and desire him to represent to H.M. their distressing circumstances, and to pray that H.M. would consider them with respect to this year's vast expence, and to send a force sufficient, early next spring, to reduce Port Royall, or in case of peace, that Nova Scotia and Port Royall may be restored to H.M. obedience, *etc.* *Countersigned,* John Clark, Speaker. 1 *p.* [*C.O.* 5, 9. *Nos.* 30, 31.]

Oct. 27. **807**. Mr. Attorney Generall to Mr. Popple. I am of opinion that the *enclosed* Act of Jamaica ought not to be allowed of and ratify'd by H.M. for the reasons I have mentioned in the margent of the copy you sent me. *Signed,* Ja. Mountague. *Endorsed,* Recd. Read Oct. 27, 1709. 1 *p.* *Enclosed,*

807. i. Act of Jamaica *for the further quieting possessions etc.* With marginal notes by the Attorney General:—I think 5 years too short a time to barr ye titles of persons who are proprietors of lands in Jamaica, *etc.* To make bargains and sales and other conveyances not of record to be of equall force with fines and recoveryes may be dangerous to subsequent purchasors not cognisant of such secret conveyances, *etc.* *Signed,* Ja. Mountague. 5½ *pp.* [*C.O.* 137, 8. *Nos.* 58, 58.i.; and 138, 12. *pp.* 482-494.]

Oct. 27. Whitehall. **808**. W. Popple to Wm. Blathwayt. The Council of Trade and Plantations desire you, as Auditor of the Plantations, would let them have, as soon as possible, the names of the persons that have patents for land in Jamaica lying between N.E. of Rio Grande and S.W. of Point Morant, which expressing the number of acres in each patent, how the same are situated, what quit rents are reserved, what arrears of quit rent there are due, and if you can what quantity of lands there are remaining in the said limits ungranted. [*C.O.* 138, 12. *p.* 481.]

Oct. 28. Whitehall. **809**. Same to William Penn. Encloses 2 Orders in Council Oct. 24, wherein you will give the necessary directions; also the reasons for the repeal of the Laws referred to, *etc.* [*C.O.* 5, 1292. *p.* 165.]

Oct. 28. Whitehall. **810**. Mr. Popple to the Earl of Carbury. Returns a paper relating to his lands in the Parish of St. Mary in Jamaica. [*C.O.* 138, 12. *p.* 494.]

Oct. 28 and 29. **811**. Three Certificates in favour of Lt. Governor Hamilton. (*Cf.* Sept 16). *Signed by* H. Holt, Jos. Jory, N. Blakiston and 16 others. *Endorsed,* Recd. Read Nov. 1, 1709. 3 *pp.* [*C.O.* 152, 8. Nos. 34, 34.i.,ii.]

1709.
Oct. 29.

812. Mr. Baber to Mr. Popple. Encloses following. *Signed,* John Baber. *Endorsed,* Recd. 1st, Read 10th Nov. 1709. *Addressed. Sealed.* 1 *p. Enclosed,*

812. i. John Baber, Secretary at Jamaica, in behalf of himself and others, to the Council of Trade and Plantations. *Pray* that the recent Act of Jamaica, *for regulating fees,* may be repealed, the rights of H.M. Patent Officers being thereby broke and great part of their fees restrained and taken away, *etc. Signed,* John Baber. 1 *p.* [*C.O.* 137, 8. *Nos.* 63, 63.i.; *and* 138, 13. *pp.* 31-33.]

Oct. 29.
Craven House.

813. Commission from the Lords Proprietors of Carolina to Edward Moseley and John Lawson, Surveyor General of N. Carolina, to settle the boundaries with the Commissioners of Virginia (*Cf.* Jan. 13, 1709). *Signed,* Craven Palatin, Beaufort, Craven for the Ld. Carteret, M. Ashley, J. Colleton, J. Danson, M. Ashley for Jos. Blake. [*C.O.* 5, 289. *p.* 233.]

Oct. 29.
Windsor.

814. H.M. Warrant revoking Col. Ingoldesby's Commission as Lt. Governor of New Jersey. *Countersigned,* Sunderland. 1½ *pp. Set out,* N.J. Archives, 1st ser. III. 474. [*C.O.* 5, 970. *No.* 87; *and* 5, 210. *p.* 171; *and* 5, 995. *pp.* 29, 30.]

Oct 29.
Windsor.

815. H.M. Instructions to the Governors of New York, New Jersey, Massachusetts Bay, New Hampshire, Barbados, Bermuda and the Leeward Islands, for the use of enclosed Seals, and return of the old ones. *Set out,* N.H. Prov. Papers II. 610 *The various seals are described as* C.S.P. 1705. *Nos.* 1089-1097. *Countersigned,* Sunderland. [*C.O.* 5, 210. *pp.* 171-173; *and* 5, 1121. *pp.* 439-441; *and* 38, 6. *pp.* 471-473; *and* 5, 995. *pp.* 21, 22; *and* 5, 913. *pp.* 76-79; *and* 29, 12. *pp.* 36, 37; *and* 153, 10. *pp.* 380-382.]

Oct. 29.

816. The Queen to the President of the Council of New York. No grants of land are to be made or passed till the arrival of Governor Hunter, etc. *Countersigned,* Sunderland. *Endorsed,* Recd. Read Nov. 10, 1709. 1½ *pp.* [*C.O.* 5, 1049. *No.* 132; *and* 5, 1121. *pp.* 443, 444; *and* 5, 210. *pp.* 184, 185.]

Oct. 30.
Bermuda.

817. Lt. Governor Bennett to the Council of Trade and Plantations. *Encloses* proceedings relating to a treasure trove. All that can be discovered yet is only 153½ ounces and 12 rials of Spanish silver coin. I have (with the Chief Baron) examined all such as could be imagined should be any way knowing in that matter, but to noe purpose. But I hope time may give more light, and shall take care to direct that the hearing of that cause shall be putt off till further discovery can be made, for I verily believe more mony was taken up. Your Lordps.' of July 15 I recd. Oct. 24, and doe conclude that the hearing of the complaints of these Islands against Mr.

Jones, and also his against me are over, and I doe not doubt but my inocency and injuries have been made appear, and that your Lordps. have some way considered how to salve my injur'd reputation which has been everywhere for these eight years exposed by the clamours and insinuations of my most barbarous and unjust enemys. *Refers to* letter of Sept. 30. *q.v.* But being much better of late, I have inspected all the fortifications, stores and powder, and am preparing an account, and state of the whole in order for transcription, *etc. Signed,* Ben. Bennett *Endorsed,* Recd. Dec. 28, Read Jan. 13, $170\frac{9}{10}$. *Holograph.* 2 *pp. Enclosed,*

817. i. Proceedings of a Court of Exchequer, Bermuda, Aug. 30, 1709, relating to some Spanish coin etc. found and concealed by John Hilton, *referred to in preceding. Copies.* 4 *pp.* [*C.O.* 37, 9. *Nos.* 5, 5.i.-iv.; *and* (*without enclosures*) 38, 6. *pp.* 483-485.]

Oct. 31. Whitehall. **818**. Mr. Popple to Mr. Solicitor General. Encloses for his opinion in point of Law, Acts of New York, Oct., 1708, (1) *to relieve this Colony from divers irregularities and extortions*; (2) *for the easier partition of lands on the joint tenancy or in common.* [*C.O.* 5, 1121. *p.* 442.]

Oct. 31. **819**. William Dockwra to the Council of Trade and Plantations. *Encloses* following, praying that they be considered before the settlement of Members of Council for New Jersey and Governor Hunter's Instructions, *etc. Set out,* N.J. Archives 1st ser. III. 475. *Signed,* Wm. Dockwra. *Endorsed,* Recd. Read Nov. 2, 1709. $\frac{3}{4}$ *p. Enclosed,*

819. i. Lt. Governor and Council of New Jersey to Governor Lord Lovelace, April, 1709, relating to their Address to H.M. complaining of the proceedings of the Assembly there. *Signed,* Richard Ingoldesby, Wm. Pinhorn, Wm. Sandford, Richd. Townley, Dan. Coxe, Roger Mompesson, Robert Quary. 20 *pp.*

819. ii. The Answer of Peter Sonmans to an Address to Governor Lord Lovelace from the Assembly of New Jersey, March 18, 1708. *Printed.* 26 *pp.*

819. iii. Address of the Lt. Governor and Council of New Jersey to the Queen. Mr. Lewis Morris and Samuel Jennings, a Quaker, are the cause of the irregular proceedings of the Assembly *etc.* We propose that your Majesty discountenance those wicked designeing men, and show some dislike of the Assembly's proceedings, who are resolved neither to support your Majesty's Governmts. by a revenue, nor take care to defend it, by settling a Militia, *etc. Copy.* 3 *pp.*

819. iv. Evidence in support of preceding Address. *Copy.* 12 *pp.*

819. v. Minutes of Assembly of New Jersey, May 5-12th, 1708. 9 *pp.*

819. vi. Lt. Governor and Council of New Jersey to the Queen,

relating to the proceedings of the Quakers there. *Attested by* Francis Nicholson and Samuel Vetch. *Copy.* 3 *pp.*

819. vii. Petition of Peter Sonmans and William Dockwra to the Queen. Duplicate of C.S.P. 1702. *Nos.* 484, 484. i. *Copy.* 3 *pp.*

819 viii. Duplicate of Order of Council appointing Peter Sonmans to the Council of New Jersey, May 20, 1707. *Copy.* 1 *p.*

819. ix. Memorial of Committee of Proprietors of the Eastern Divisions of New Jersey to the Council of Trade and Plantations in favour of Mr. Sonmans *etc.* Feb. $170\frac{5}{6}$. *Copy.* 2 *pp.*

819. x. Peter Sonmans to Governor Lord Cornbury. Capt. John Harrison, Judge of the Court of Common Pleas, by his opposition to complainant, encouraged the inhabitants of Newark to refuse to pay their quit-rents, *etc.* 1708. *Copy.* 2 *pp.*

819. xi. Copies of Address of Lt. Governor Ingoldesby to Col. Francis Nicholson, June 3, 1709; Address to H.M.; Two Acts and notes thereupon; all relating to the expedition against Canada. 4 *closely written pp.*

819. xii. Copies of an Address of welcome delivered by Mr. Lewis Morris alone to Governor Lord Lovelace; with some satirical verses upon that occasion; Mr. Morris' reply to them in verse, and a reply to him. 5 *pp.*

819. xiii. Extract of Governor Lord Cornbury's letter Feb. 19, 1705, upon the suspension of Lewis Morris. C.S.P. 1705, *No.* 878. 3 *pp.*

819. xiv. Minutes of Council in Assembly of New Jersey, June 23-30, 1709. 8 *pp.*

The above documents are endorsed, Recd. Nov. 2, 1709. *They are all set out,* N.J. Archives, 1*st ser. III.* 476-496. [*C.O.* 5, 970. *Nos.* 88, 88.i.-xiv.; *and* (*without enclosures*) 5, 995. *pp.* 25, 26.]

Nov. 1.
Whitehall.

820. Council of Trade and Plantations to Governor Seymour. *Enclose* Order, Oct. 24, repealing Act *for relief of poor debtors.* We also send you the reasons for the repeal of the said Act (Oct. 18), that you may avoid passing the like for the future. *Enclose* letter to be forwarded to the President of the Council of New Jersey. [*C.O.* 5, 727. *pp.* 139, 140.]

Nov. 1.
Whitehall.

821. Council of Trade and Plantations to the President of the Council of New Jersey. *Enclose* Order, Oct. 24, repealing *Act for regulating negroes,* etc., by reason the punishment inflicted on negroes etc. is such as never was allowed or known in the Laws of this Kingdom. [*C.O.* 5, 995. *p.* 24.]

Nov. 1.
Whitehall.

822. Council of Trade and Plantations to the Lord High Treasurer. Having been in treaty with the Earl of Carbury for his lands [*see* Oct. 18] lying in the parish of St. George,

1709.

in Jamaica, his Lordship is ready to surrender to H.M. in fee such lands as he has within those limits being by estimation about 1,000 acres, upon condition that the said 1,000 acres, as likewise the rest of his lands consisting of about 8,000 acres lying in the parish of St. Mary's at a very considerable distance from the limits aforesaid, may be discharged from all arrears of quit rent to the time that such surrender shall be made. Wherefore if H.M. shall be pleased to approve thereof, we desire your Lordship will enable us to acquaint the Lord Carbury therewith, as soon as conveniently may be, in order to the dispatch of our Report to H.M. [*C.O.* 138, 12. *p.* 495.]

Nov. 2. Treasury Chambers. **823**. Wm. Lowndes to Mr. Popple. My Lord Treasurer is inclinable, on H.M. behalf, to approve of Lord Carberry's proposition (Nov. 1), and in order thereunto he has directed Mr. Blathwayt, H.M. Auditor for the Plantations, to lay before him a state of the arrears owing from the Earl of Carberry upon the quit rents issuing out of the said lands, and what the value of the lands proposed to be surrendred by the said Earl may reasonably be computed at. *Signed,* Wm. Lowndes. *Endorsed,* Recd. Read Nov. 3, 1709. *Addressed.* 1 *p.* [*C.O.* 137, 8. *No.* 59; *and* 138, 12. *p.* 497.]

Nov. 2. Whitehall. **824**. Mr. Popple to Mr. Blathwayt. *Requests* reply to letter, Oct. 27. The proposal for settling the poor Palatines at Jamaica is obstructed for want of the account desired. [*C.O.* 138, 12. *p.* 496.]

Nov. 2. Whitehall. **825**. Mr. Popple to Mr. Attorney General. Encloses an Act of Barbados (1708) *for holding a Court of Grand Sessions, etc.,* for his opinion in point of Law, *etc.* [*C.O.* 29, 12. *p.* 38.]

Nov. 3. Whitehall. **826**. Mr. Popple to the Earl of Carbury. Mr. Pulteney having acquainted the Council of Trade and Plantations that your Lordship is willing to surrender to H.M. in fee all your Lordships lands lying in the parish of St. George in Jamaica, and comprized in a deed of conveyance from Nicholas Smith to your Lordship, which deed, together with a survey of those lands, Mr. Pulteney has delivered to the Board from your Lordship; they did give my Lord Treasurer an account thereof, who has signifyed that he is inclinable on H.M. behalf to approve of the said proposition. Your Lordship will please to signify to the Board, in such manner, that the same may be transmitted to the Governor of Jamaica, that you do consent, the said lands may be cleared by H.M. for the use of the poor Palatines, and your Lordship will be pleased to do it with all convenient speed, this matter not admitting of any delay. [*C.O.* 138, 12. *pp.* 498, 499.]

Nov. 3. Whitehall. **827**. Wm. Blathwayt to Mr. Popple. Reply to Oct. 27 and Nov. 2. Explains delay by his absence *etc.* Mr. Compere, Receiver Generall of Jamaica, could give me no light, but only undertook to procure from his Deputy in Jamaica as soon as possible a particular answer. In reference to my part therein, *encloses* accompt, to which I might have been able to have added a further information, if I had not been disappointed by the death of the Deputy Auditor there, about 3 months past, *etc.* There are in Jamaica more than 6 millions of acres of profitable land, of which above one half remain unpossess'd or unpatented, so that the Island might with due prevision and assistance receive with great advantage the whole number of poor Palatines. The tract referred to is at least $\frac{1}{12}$ part of the whole Island, and consequently capable of receiving a considerable number of these Palatines, tho' it may be observed that the North Eastermost part of this tract be most exposed to pirates and the invasion of the French and Spaniards from the neighbourhood. As to the Quit-rents reserv'd to the Crown, the lands granted by Sir Tho. Modyford pay 2/6 per 100 acres, by Sir Tho. Lynch $\frac{1}{2}$d. per acre, by Lord Vaughan 1d. per acre, and by some of the succeeding Governors three halfpence or 2d. per acre. *Signed,* Wm. Blathwayt. *Endorsed,* Recd. 5th, Read 7th Nov. 1709. 1$\frac{3}{4}$ *pp.* *Enclosed,*

827. i. Accompt of H.M. Quit-rents, Jamaica, Sept. 29, 1706-1707. *Total,* £2174. 9. 1. *Signed,* Charles Chaplin. 2 *pp.* [*C.O.* 137, 8. *Nos.* 60, 60.i.; *and* (*without enclosure*) 138, 13. *pp.* 1-3.]

Nov. 3.
Craven House.

828. Lords Proprietors of Carolina to Edward Moseley and John Lawson, Surveyor General of N. Carolina. The better to enable you to put in execution your Commission (Oct. 29) we thought it proper to inform you that the Lords' Proprietors' Charter, Charles II., is the only legall evidence they can make use of to assert their bounds with the Governor of Virginia. We have therefore sent you herewith a true printed copy, *etc.* *Signed,* Craven Palatin, Beaufort, M. Ashley, J. Colleton, J. Danson [*C.O.* 5, 289. *p.* 234.]

Nov. 3.
Craven House.

829. Same to Governor Tynte, and Col. Thomas Broughton, Surveyor General of S. Carolina. Warrant to set out 100 acres of land to all such poor Palatines that shall land there, free from any quit-rent for 10 years, after which they are to pay 1d. yearly per acre. *Signed as preceding.* [*C.O.* 5, 289. *p.* 235.]

Nov. 4.
Whitehall.

830. Mr. Attorney General to the Council of Trade and Plantations. I have no objections to the Act of Barbados *for holding a Court of Grand Sessions etc.* (Nov. 2). *Signed,* Ja. Mountague. *Endorsed,* Recd. 5th, Read 10th Nov. 1709. 1 *p.* [*C.O.* 28, 12. *No.* 46; *and* 29, 12. *p.* 47.]

Nov. 4.
Admiralty Office.

831. Mr. Burchett to Mr. Popple. Encloses following and two Bills of Exchange signed Peter Holt, to be laid before the Council of Trade and Plantations. *Signed,* J. Burchett. *Endorsed,* Recd. 5th, Read 8th Nov. 1709. 1 *p.* *Enclosed,*

831. i. E.B. to the Earl of Pembroke, Lord High Admiral.

1709.

On the 29th Oct. goeing over Tower Hill, I chanced to take up the enclosed, *etc.* *Signed,* E.B. *Addressed.* 1 *p.*

831. ii. Peter Holt to Capt. William Billton, upon the Camper-Hoofe in Amsterdam. London, Oct. 26, 1709. Encloses two bills "for the rest of the men," with directions for transmitting the money to the sender. As to the brigintine, if you'll take my advice, lett hir alone, for I shall never ingadge myselfe with hir againe. She is 20 year old, and could she be bought for little who will goe swair that she belongs all to Englishmen, I shall not. *etc.* Have made some inquiery whether anything can be recovered from Capt. Stone or his security for the damage he did me in the Bay of Hundoras, but I am afraid their will not. I am sorry Mr. Handes should be so great a sufferer, he being the only friend an Englishman can find in Curacao, and without dout its £500 sterl. out of my owners pocket. If such men have Commissions given them, in a little time thear will be no going to the West Indies. The Governor of Carolina had but little to say for himselfe when I tould him Capt. Stone shewed me his Commission. When the Governor gave Stone a Commission, he knew him to have don that which is by all men called piracy, and since he robed me in the Bay, Stone met with a briganteen that was a prise belonging to a Jemeca privateer, and tooke hir from theyr men that was carrying hir home, and carryed hir to Carolina and had liberty to condemn and sell the same. As for Curacao, if it was sunk under water, it woud be beter for England by 5 or £600,000 in one year, thear is not a marcht. in England that trades to ye West Indies but what is, has been and will be the worse for that Island. You may think what I now say is a little straing, but no more strange then new, and the Island of St. Thomases to help us this war has been with Curacao more dammage then Martineco. And our owne Plantations are cheefly in the fuilt. You say you think it might be a good thing to goe with provision from Ireland. I cannot think it can. If 6 or 800 barills of beefe comes in at a time, ye Jews blowe upon it, *etc.* I have seene so much hard dealing by Englishmen thear, that my bely is full of Curacao. *etc. etc.* *Signed,* Peter Holt. 2 *pp.* [*C.O.* 323, 6. *Nos.* 90, 90.i.,ii.; *and* (*without enclosures*) 324, 9. *p.* 414.]

Nov. 8. Treasury Chambers. **832.** Mr. Lowndes to Mr. Popple. Encloses following. *Signed,* Wm. Lowndes. *Endorsed,* Recd. Read Nov. 8, 1709. *Addressed.* 1 *p.* *Enclosed,*

832. i. Mr. Blathwayt to Mr. Lowndes. *Cf.* Nov. 2. The 1000 acres Lord Carberry proposes to surrender in Jamaica pay a quit rent of 1d. per acre per annum.

1709.

How much the arrears thereof do amount unto does not appear by the last return. I conceive these lands, as unsettled, may be worth at present about £400 sterl. Whitehall, Nov. 3, 1709. *Signed,* William Blathwayt. $1\frac{3}{4}$ *pp.*

832. ii. Duplicate of *No.* 827. 1. [*C.O.* 137, 8. *Nos.* 61, 62, 62.i.; *and* 138, 13. *pp.* 4-9.]

Nov. 8.
St. John's, Newfoundland.

833. Mr. Collins, Commander in Chief at Newfoundland, to Col. Nicholson. Being ordered by the Commander in Chief of Newfoundland to command in said place untill further orders from H.M., and being perfectly acquainted with the poverty of the people, by reason of the many insults made against them by the French from Placentia, and more especially since the scandallous loss of said place last winter, I think it my duty to acquaint your Honour, that there is in the Garrison, (which as well as we cou'd we have re-built) 9 pieces of cannon, 20 barrils gunpowder and 100 small arms, with which we shall to the utmost of our power defend H.M. said garrison *etc.* There is within said garrison 470 persons, including women and children, which for want of provisions, are like to be miserable, without H.M. early relieves us, there being amongst us, at this time, but 30,000 of bread and flour, which will scarce last 3 months at a short allowance; pork, beef and all other provisions being wanted in the same manner; so that, unless H.M. out of her Royal Bounty, do's give us an early and seasonable relief, we must all of us unavoidably become slaves to the French, or perish with famin; all which, as being in the place yourself, you find too apparent; *etc.* *Prays him* to solicite H.M. assistance in their behalf. *Signed,* John Collins. *Endorsed,* Recd. Read Jan. 27, 170$\frac{9}{10}$. *Copy.* 1 *p.* [*C.O.* 194, 4. *No.* 105.]

Nov. 9.
Whitehall.

834. Council of Trade and Plantations to the Queen. Representation upon an Act of Jamaica *for the further quieting of possessions.* By this Act it is declared that all possessors of lands, houses, negroes *etc.*, by virtue of any deed or conveyance whatsoever, who have been in peaceable possession for 5 years before this Act, or shall continue in such possession from the first possessing such lands for the space of 5 years, shall injoy such estate and hold the same in fee against all persons whatsoever. This term of 5 years we are humbly of opinion is too short to barr the titles of persons who are Proprietors of lands in Jamaica, many of which Proprietors may be resident in some of your Majesty's Dominions in Europe, or in some other of your Majesty's Plantations, and may not have timely notice of the loss of their possession, besides that your Majesty's claim to any lands ought by no means to be barr'd by so short a space as 5 years, the term of 7 years in our humble opinion is little enough to be allowed in this case, and was the time limmitted by a former Act of yt. Island. The Act further allows to infants, women under coverture, and to persons of non sane memory but three years after their being of age, the death of

1709.

their immediate husbands, or their becoming of sound mind and memory, to commence their actions respectively for such estates as they may lay claim to. This we think a hardship, five years having been thought little enough here in such cases. It is further enacted that all bills, bonds, mortgages, judgements and all other writings obligatory whatsoever that have not been legally demanded within 20 years since the dates thereof, and shall not be legally demanded within 12 months from the passing of this Act, shall become null and void. Upon this we take leave to observe that where interest is constantly paid, there may be no occasion to make a demand of the principal; and therefore it seems unreasonable to make void all debts not demanded in 20 years, besides that it may be very inconvenient to compell persons to demand their debts within the space of 12 months. All lands, tenements, negroes *etc.* convey'd by bills of sale, deeds or other conveyancies whatsoever, for valuable considerations, are by this Act declared to have pass'd and to be conveyed by the said bills of sale, deeds etc. as fully to all intents and purposes, as any real estate might or could pass in this Kingdom, by fine and recovery in your Majesty's Court of Common Pleas. Upon this we humbly observe that to make bargains and sales and other conveyances not of record to be of equal force with fines and recoveries may be of ill consequence to subseqt. purchasers, who may not be privy to or cognosant of such secret conveyances; and we find that by a former Law made there, *for prevention of Law suites*, such bills of sale and conveyances were to be acknowledged before the judge of some Court of Record, and duly recorded there. There is a proviso in this Act, which declares that nothing therein contained shall disannull or make void any rents or services reserved to your Majesty. Yet should this Law be confirmed, the possession of the several grantees from the Crown wou'd be quieted, and their titles confirmed, notwithstanding any forfeiture they may have incurr'd, by reason of the non-performance of covenants contained in their respective grants. *Propose* that the Law be repealed and that H.M. royal pleasure be signifyed to the Governor that, if a Law for this purpose shall be pass'd there, not lyable to any of these or other just objections, H.M. will be graciously inclined to approve of such Act. [*C.O.* 138, 13. *pp.* 10-14.]

Nov. 9. Whitehall. **835.** Council of Trade and Plantations to the Earl of Sunderland. *Enclose following.* We asked Mr. Whitchurch and Mr. Jones whether they were willing to make an agreement with H.M. in order to the providing for the poor Palatines, but they declined to do it. *Annexed,*

835. i. Council of Trade and Plantations to the Queen. *Recapitulate* their negotiations with Mr. Whitchurch, Mr. Jones, Sir Robert Cotton, Lord Carberry and Mr. Compeer, for settlement of Palatines in Jamaica. *Propose* that 1000 Palatines be transported at H.M. charge to Lynch Island, there to continue till they shall be

1709.

settled in Jamaica, and that the harbour of St. Antonio be made a Port of Entry, and that a small Fort be built there for its security. The most commodious place for their settlement in Jamaica is between the N.E. of Rio Grande and the S.E. of Point Morante, where a sufficient number of acres may be granted under the Seale of the Island to them and their heirs for ever, not exceeding 5 acres per head for every person in each family, which proportion of acres we conceive may, when cultivated yeild a reasonable maintenance for them, by ye produce of ginger, cotton, indigo, annotto, rice and other commodities. As for sugar, the produce thereof is a work of time and great expence, yet they may fall into it as they grow able to purchase negros and cattle; such a settlement, especially if there be a small fort built on Linch Island will effectually secure the south as well as north side of Jamaica, from any attempt of an enemy, and when these people are well settled in planting, they will soon reimburse your Majesty and this Kingdom, as well by their consumption of Brittish manufactures, as by the duties arising on their produce, which after 8 or 10 years may be a considerable increase of the Customes, besides the benefit to Navigation. Although the greatest part of the land within the limmits aforementioned is already granted by letters patents to others, who have held the same for 20 or 30 years past without making the least step towards settling it, and as we have reason to beleive, seldome if ever paid the quit-rent, to the great injury and loss of the publick and of your Majesty's Revenue there, and without any benefit to themselves; yet Col. Lloyd, Col. Long and Mr. Broughton, who have good estates there, make no doubt if the Palatines were sent to Jamaica, but without having recourse to any other method for revesting these lands in the Crown, the present owners will, for so great a good, freely surrender to your Majesty ⅔rds or ¾ths of their said lands. But if the lands which shall be voluntarily surrendered by the Proprietors (*Lord Carberry etc.*) shall not be sufficient for this intended settlement, we humbly represent that there are in Jamaica some millions of acres of proffitable land, of which more than one half remain unpossessed or unpatented, and therefore in such case we humbly offer that the Governor and Councill be directed to seat the said Palatines on the said unpatented lands in the severall parishes (though this will not be so advantagious as the seating them near Port St. Antonio) and according to the information we have had the inhabitants will help them to make their settlements, as 'tis their interest so to do, they being sensible how much they want numbers of white people in those parts.

1709.

On this occasion we take leave to observe that by a Law of Jamaica, 1682, every master of slaves, for ye first 5 working slaves, is obliged to keep one white man-servant, overseer or hired man for 3 months at the least; for 10 slaves two whites, and for every 10 slaves over and above the said number one white to be resident on the Plantation where the negroes are employed, on penalty of £5 for every servant that shall be wanting, which Law being not complyed with by many of the said masters, such of them as are deficient in their respective proportions of white men, are compelled to quarter a soldier belonging to the regular forces, for every white man he wants of his quota, or else to allow to every such soldier 5/s. per week. Wherefore we humbly offer, whether as a temporary provision for these Palatines, or for a good number of them, till they shall be otherways settled, in case they are not settled near Port St. Antonio, according to the first part of our proposal, it may not be proper to recommend it to the Governor, Councill and Assembly to subsist them on such deficiencies whereon soldiers are not already charged. And whereas great tracts of lands have been granted to persons who have neglected to seat or plant the same (as already mentioned) to the great prejudice of that Island, for the prevention of the like mischeif for the future it will be necessary that in every grant hereafter to be made to the said Palatines or to any other persons, there be an express proviso that the lands so granted shall be seated and planted within a reasonable time to be therein prefix'd, or on failure thereof, such grant to be void, and the lands to revert to the Crown. And we further humbly offer that, in every such grant to the said Palatines there be a clause exempting them from the payment of any quit-rents for a reasonable number of years from the date of each respective grant. If your Majesty shall approve of what we have herein humbly offered, it will be requisite that these poor people before they begin their voyage, be supplyed with convenient cloathing, bedding, tools, armes, provisions, etc. In regard these poor people will not be able to maintain themselvs wholly out of the produce of their labour till about 12 months after the clearing and planting the ground, it is proposed that they be subsisted with bread for one year, and with other provisions for 6 months, according to the annexed paper, which we hope may be sufficient, for that there are potatoes, peas, and several other sorts of pulse, that will be ready for their food in a less time, besides that there is plenty of fish on the coast, and wild hogs *etc.* in the woods. If these Palatines shall be settled near Port St. Antonio, which we look upon as the most advantagious place being so scituated, that the windward passage from thence to Great Britain may be made at any time of ye year, and consequently the trade from thence very much facilitated and increased, and therefore most proper for a settlement, we offer that they be encouraged to settle in partnership, that is, three or four families in one Plantation, whereby some may hunt, fish or fowl, while others clear and plant the land. While they are on Lynch Island, the Channell is so narrow and the passage so short to the Island of Jamaica, that they may easily and frequently cross over and help to clear the land, on which as it is cleared, they may by degrees seat themselvs. And for their further encouragement thereto, we humbly offer that the Governor of Jamaica be directed upon their arrival to grant them letters of naturalization without fee or reward, and that they may enjoy all such priviledges and advantages as are enjoyed by the present inhabitants of that Island. In this manner we hope these poor people, or a considerable number of them, may be disposed of, and settled to the benefit not only of Jamaica, but of the trade of this Kingdom, the persons themselvs gain a comfortable livelyhood by their industry, your Majesty eased of the great charge you are now at in the subsisting of them, and reap a considerable advantage by the increase of the Customes. *Refer* contracts for transportation to the proper officers. Lastly we humbly offer that your Royal pleasure be signifyed to the Governor and Councill of Jamaica that they cause Lynch Island to be forthwith cleared and hutts built for the reception of these Palatines upon their first landing, the clearing of the whole Island being convenient for the preserving the health of those who shall be settled there, and the charge thereof will not exceed the rate of £3 per acre for clearing the ground, which (the Island consisting of about 80 acres) will not amount to above £240; nor can the building of a sufficient number of hutts, where there is wood and timber plentifull, add much to the expence, and that the Governor and Councill be directed to recommend it in ye most effectual manner they can to the Assembly, that provision be made by a law for the settlement of these poor people on the main Island, in the manner hereby proposed, a copy of which proposal may be transmitted to the said Governor and Councill for that purpose, to which we have reason to beleive the Assembly will agree, on account of the great benefit the Island will receive, as well in regard to their security against an enemy as to the advancement of their trade; But if the Assembly shall not be prevailed upon to undertake this service, to the end the same may not be disapptd., we humbly propose that the Governor and Councill be ordered to make such provision for their settlement at your Majesties expence. *Annexed,*

835. i. List of stores and ordinance to be sent with the Palatines. [*C.O.* 138, 13. *pp.* 15-30.]

Nov. 9. Whitehall. **836**. Council of Trade and Plantations to the Queen. Representation upon petition of Lt. Gov. Hamilton, Sept. 16. *q.v.* We have been attended by several planters and considerable merchants trading to the Leeward Islands, who have produced to us ample certificates of his affection to your Majesty's Government, of his having distinguish'd himself by his courage and good conduct in several considerable posts both civill and military, and of his being generally in good esteem of the inhabitants. Finding therefore that there are presidents of what he desires (vizt. Col. Thomas Hill and Col. Edward Fox were constituted Lt. General by King William) and that this is only an honorary title which will be no addition of charge to your Majesty, for during the presence of a Capt. General, Hamilton will receive no other salary than what he now does as Lt. Governor of Nevis, and in case of the death or absence of the Captain General, he will have the command of all the said Islands, and receive a moiety of the salary and the perquisits, which is no more than he will now do, as he is Lt. Governor of Nevis, we have nothing to object, if your Majesty please to grant him a Commission to be Lt. Governor of the Islands. [*C.O.* 153, 10. *pp.* 383-385.]

Nov. 9. Whitehall. **837**. Council of Trade and Plantations to the Queen. Representation upon an Act of Barbadoes, May 10, 1709, *appointing Agents to transact the publick affairs of this Island.* We find since 1666 there have been frequent disputes between the Council and Assembly about the nominating and appointing Agents residing within this Kingdom, the Assembly having claimed a right of such nomination and appointment exclusive of the Governor and Council, and they having for the most part done the same by a clause in the Excise Bill, refusing to grant the duty arising thereby, unless they named the sd. Agents in the Bill, to which the Council were sometimes necessitated for the sake of the said duty to consent; by this means (the Excise Bill being made for one year only) the Assembly annually nominated the Agents notwithstanding the opposition made thereunto by the Council. But we do not find that any of those Laws whereby Agents have been constituted have at any time been confirmed by your Majesty or any of your Royal predecessors. In 1697, when the Assembly insisted on their pretended right, the then President in Council disallowed thereof for the reasons mentioned *Minutes of Council* Aug. 24, 1697. But not to go too far back we shall only humbly lay before your Majesty what has passed relating to the appointment of Agents since Mr. Crow's arrival there. The Assembly in March 170$\frac{8}{9}$ sent up to the Council a new Excise Bill with the usual clause for the Agents in it, the Council upon consideration thereof, gave their reasons for not allowing the said clause; this occasioned several messages and conferences between the Council and Assembly, and upon the Council's insisting to have the said clause omitted, the Assembly on March 19, 170$\frac{7}{8}$, in consideration of the great want of mony there was at that time, passed the Excise Bill without the said clause, but made the following resolves:—"that from the first constitution and appointing of Agents in England for the publick service of this Island, the right of appointing such Agents was and is in the Representative Body of this Island. The Members of Council by setting up a right with this House to nominate and appoint such Agents, have endeavoured to invade the right which is solely vested in this House." In Dec. 1708, the first above-mentioned Act for appointing Agents (which is founded upon the foresaid resolves, the preamble setting forth the necessity of the inhabitants having Agents here, to solicit for them, and the next clause desiring the Governor and Council to ratify the Assembly's nomination and appointment of their Agents) was brought into the Assembly, where it lay till May, and was then passed by them and sent up to the Council; but whether the Council made then any objections to this Act or no, does not appear to us, their Minutes for that time not having been yet transmitted. However as this Act excludes the Governor and Council from nominating and appointing Agents, we humbly conceive that Mr. Crow has not done his duty in passing the same. But that your Majesty may have a clearer view of this pretention of the Assembly, we further take leave to represent that in Nov. 1708, the persons named in the first abovementioned Act for Agents delivered to us a paper entitled *some positions laid down, that the General Assembly exclusive of the Governor and Council may appoint Agents to negotiate the publick affairs of this Island in England*, which paper containing some positions of a very extraordinary and dangerous consequence, we take leave to annex a copy thereof, and upon it to make the following observations:—We do agree that it is the undoubted right of the subject, either in his private capacity, or as a body politic, to apply to your Majesty by petition, complaint or other Address, so it be done in such manner as the Law directs; yet we can by no means admit it to be a necessary consequence, that therefore the Generall Assembly of Barbadoes, exclusive of the Governor and Council there, has a right to appoint persons under a publick character of Agents for negotiating in this Kingdom the public affairs of that Island, by way of application to your Majesty; such a pretended right is no ways founded upon good reason, nor warranted by the like usage in any other Plantation under your Majesty's imediate Government; but is inconsistant with the nature and form thereof, and may tend to create jealousies and divisions in the several parts of that Legislature, to the manifest disquiet of your Majesty's subjects there, and to the prejudice of that trade. If such exclusive power of appointing publick Agents be allowed to the General Assembly, with as much reason may the Governor and Council severaly claim a like

1709.

power, exclusive one of the other, to appoint their respective Agents; for if the General Assembly cannot (as they suggest) rely upon the service of any other Agents than such as are solely chosen by and intirely dependant on them; what use can the Governor or Council expect to have of Agents so chosen, who are intirely independant either of the Governor or Council? What mischief and confusion in business such distinct agencies may occasion by their interfering and clashing one with another, according to the several instructions they may receive from their respective principals is so obvious, we [*will*] not trouble Your Majesty therewith. Among the several reasons given for allowing an exclusive right in the General Assembly, some of them are very extraordinary, they being founded upon unjust suppositions, that the Governor and Council will refuse or neglect to employ their best offices for procuring from your Majesty a concession of whatever may reasonably be desired for the ease, safety or benefit of the Island; and that they will in all matters be inclined to support and maintain the Prerogative without having a due regard to the rights and priviledges of the subject. This is to suppose not only that so many of the principal inhabitants as constitute the Council have no share in, or concern for the good of their country; but that both Governor and Council will act contrary to the express trust reposed in them; and we look upon any insinuation as tho' the interest of the Crown were separate from that of the subject to be fals and of dangerous consequence. Wherefore we are humbly of opinion that the General Assembly of Barbadoes, exclusive of the Governor and Council, has not any right nor ought to be allowed to appoint persons under the character of publick Agents for negotiating in this Kingdom the publick affairs of that Island, nor do we see wherein such appointments of Agents by the Assembly can answer the end they propose, since they cannot reasonably expect that your Majesty will come to any resolution upon the applycation of such Agents in publick matters without refering the same to the Governor, or to him and the Council there, for their opinion therein. And therefore we humbly offer that your Majesty be pleased to signify your disallowance and disapprobation of the said Act for appointing Agents. But in case your Majesty shall think fit that Agents may be nominated and appointed by the joint consent of the Governor, Council and Assembly, to negotiate here the publick affairs of that Island, as is practised in Jamaica, and some other of the Plantations, we have no objection to it. [*C.O.* 29, 12. *pp.* 39-45.]

Nov. 10.
Whitehall.

838. W. Popple to the President of the Council of New York. *Encloses* H.M. letter of Oct. 29. [*C.O.* 5, 1121. *p.* 445.]

Nov. 10.
Whitehall.

839. Same to Lt. Governor Gookin. *Encloses* letters for the Presidents of the Council of New York and New Jersey, to be forwarded with all dispatch, *etc.* [*C.O.* 5, 1121. *p.* 446.]

1709.
Nov. 10.
Whitehall.

840. Same to the President of the Council of New Jersey. Encloses H.M. letter to Col. Ingolsby, revoking his commission, Oct. 29. [*C.O.* 5, 995. *p.* 31.]

Nov. 10.
Whitehall.

841. Mr. Pringle to Mr. Popple. Encloses letter from Lord Sunderland, to be forwarded to the President of New York, about making provision for the Palatines, *etc. Signed,* Ro. Pringle. *Endorsed,* Recd. Read Nov. 11, 1709. 1 *p.* [*C.O.* 5, 1049. *No.* 133; *and* 5, 1121. *p.* 447.]

Nov. 11.

842. Mr. Delafaye to Mr. Popple. Encloses 2 duplicates of Lord Sunderland's letter *as preceding. Signed,* C. Delafaye. *Endorsed,* Recd. 12th, Read 14th Nov., 1709. 1 *p. Enclosed,*

842. i. Earl of Sunderland to the President of the Council of New York. The Queen having thought fit to order the sending of 3000 of the poor Palatines to New York, has commanded me to tell you that they are to sail from hence about Dec. 15, to the end that you may consult with H.M. Council there upon the proper measures to be taken for providing for these poor people at their arrival in your parts, both as to lodging and provisions. H.M. does particularly recommend this to your care; the expence of it will be answered from hence, H.M. intention being that these people should in no wise become a burthen to your Colony. *Countersigned,* Sunderland. [*C.O.* 5, 1049. *Nos.* 134, 134.i.; *and* 5, 1121. *pp.* 449, 450; *and* 5, 210. *p.* 185.]

Nov. 11.
Whitehall.

843. Mr. Popple to Lt. Governor Gookin. Encloses *above* letter to be forwarded, *etc.* [*C.O.* 5, 1121. *p.* 448.]

Nov. 11.
Whitehall.

844. Council of Trade and Plantations to the Queen. Representation upon an Act of Barbados, 1708, *for holding a Court of Grand Sessions,* etc. This Act is the same in substance with an Act concerning the General Sessions, 1698. That wherein we find they chiefly vary is, that the charges of each Session not exceeding £100 sterl. in any session, are by this Act to be defray'd out of your Majesty's casual Revenue in that Island, whereas by the former Act they were defray'd out of part of the said Revenue, vizt. out of the fines, forfeitures and amerciaments. But as the said Casual Revenue is apply'd there for the uses of that Government, we have no objection why your Majesty may not be graciously pleased to ratify and confirm the said Act. [*C.O.* 29, 12. *p.* 18.]

Nov. 12.
Whitehall.

845. Mr. Popple to Mr. Attorney General. Encloses extract from Governor Handasyd's letter (June 14) relating to a seizure of ambergrease, for his opinion what is proper to be done in that matter. [*C.O.* 138, 13. *p.* 52.]

Nov. 12.

846. Draft of a letter of Attorney from the Earl of Carbery impowering the Council of Jamaica to surrender his lands near

1709.

Port St. Antonio, etc. *Signed*, Carbery. *Endorsed*, Nov. 14, 1709. $1\frac{1}{2}$ *pp. Enclosed*,

846. i. Plan of Lord Carbery's lands referred to in preceding. 1 *p.* [*C.O.* 137, 8. *Nos.* 68, 69.]

[Nov. 14.] **847**. Mr. Fauconnier to [? Governor Lord Lovelace]. New York, Feb. 8, $170\frac{8}{9}$. *Encloses* accounts *etc.*, of New Jersey up to Dec. 13, 1706, "since which all salaries *etc.* are owing," and a list of papers relating to that Province, which are yet in my Lord Cornbury's hands, and which I supose the trouble of mind he lays under has made him forget to deliver to your Excellency. *Signed*, P. Fauconnier. *Endorsed*, Recd. Nov. 14, 1709. (Transmitted by Mr. Cockeril to the Earl of Stamford). 1 *p. Enclosed*,

847. i. A general state of the accounts of H.M. Revenues and Fines in New Jersey, Dec. 1704-1706. *Revenue*: total, £3894. 8. 1. *Charges*, £4054. 15. 6. *Fines*, 1706; £40. 12. Mr. Fauconnier's expenses, £46. *Signed and endorsed as preceding.* 2 *pp. Torn.*

847. ii. Speech of Governor Lord Lovelace to the Assembly of New Jersey, March 4, 1708; the Council's Address to H.M.; and Addresses from the Council and the Assembly to Lord Lovelace. *Endorsed as preceding. Printed.* 12 *pp.*

847. iii. Duplicate of preceding. [*C.O.* 5, 970. *Nos.* 89, 89.i.-iii.]

Nov. 14. **848**. Observations upon several grants of land at New York. (1) Grants have been made of all the lands that could be discovered; some of them very large tracts, and in all that are good and valuable Mr. Fauconnier or Mr. Bridges, and sometimes both, are pattentees. (2) Grants have been made of such lands as should hereafter be discovered, as to Capt. Lancaster Symes of all the unpatented land on Staten Island, by which meanes several poor persons who were by the permission and connivance of the Government setled on small tracts of land where neither the persons nor lands were of value to pay the fees of a patent are lyable and already threatned to be turned out of possession. (3) Where persons have by license purchased lands from the Indians, their lands have been granted away to others. Dr. Staats' case concerning Wiwanda. (4) Grants have been made of lands formerly pattented to others, which former patents have thereby (as far as in Governor and Councill lys) been set aside, so was Newton patent in effect declared void tho' under the Seale of the Province, because not found on the Records, tho indorsed by the then Secretary to be recorded. But part of the lands contained in that Patent were since granted to the town of Bushwick for £300 (as 'tis said), other part to Mr. Bodinot in discharg of £300 due for part of Lady Cornbury's funeral, other part to Mrs. Bridges, Capt. Ask, Mr. Hoogland, Mr. Milward and others for £400. Lands between high water and lowater mark on Long Island lately granted to ye City of New

York for £300, being the lands lately in possession of several inhabitants, tho' now covered with the sea, the land being washed away. (5) Some, or at least one grant has been made without advice of the Councill, which is conceived to be against the Queen's Instructions, as the houses in the City of New York lately burnt down, said to belong formerly to Governour Lovelace, and no person claiming from him as heir at law, the same was seized for the Crown and lately granted privately to Wilson and Ask *etc.*

In relation to the Revenue (1) The Act says for the better defraying of the Publick and necessary charges and expences of this Province, the money is raised. By the Governor's Instructions he is not to permit any of the Revenue to be issued forth but by order from himself by advice of H.M. Councill. Hence it followed that whatever was proposed by the Govr. to the Councill, and consequently whatever Mr. Fauconnier demanded, was allowed of by the Councill and warrants granted accordingly. So the extravagant charges of one voyage to Albany amounted to near £2,200, and no stint was put to the expence of firewood and candles for the fort. (2) The officers of the Government and others to whom money is oweing on warrants think the late Act for refunding £711. 5. misapplyed in the £1800 tax very greivous on them, being to be raised out of the Revenue which should grow due on or before Dec. 3, being to reimburse Col. Wenham and Mr. Fauconier, who had misimployd £500 and upwards in ye £1800 tax formerly rais'd for building forts *etc.* on pretence that it was imployd for the Queen's service in payment of warrants, which the officers say were to defray the extravagant expences in the Albany journey, which if they ought to have been payed should have given place to sallary warrants. Nor was there any reason to forestall the Revenue and raise an interest of 10 p.c. to be paid out of the Revenue, if that money had been imployd in paying sallary warrants then due. They say 'tis plain that Col. Wenham and Mr. Fauconier did not discharg their duty, and if they are money out of pocket, there is no reason they should be reimburs'd out of moneys due to others, who have discharg'd their dutys, and the question is whether a Revenue granted to the Queen can be taken from H.M. even by Act of Assembly without H.M. or the Lord Treasurer's express directions. The officers likewise suffer £500 and upwards by two sallarys being taken for ye same office Mr. Fauconier and Mr. Byerley, if Mr. Byerley suspension was unlawfull, then Mr. Fauconier must apply himself to him that sett him at worke for his wages. (3) It is thought a hardship on the officers of the Governmt. that when Mr. Byerley was suspended Mr. Fauconier should be put in Comn. on purpose as they imagin that he should pay himself the £2000 or thereabouts which he pretended he disburst for ye Government, whereas if the same were bona fide due to the said Fauconier, which they deny, yet sallary warrants ought first to be paid, and they think it still harder on them yt. when Mr. Byerley was restored, Feb. 1, 170$\frac{8}{9}$, that Mr. Fauconier should detain in his hands recognizances of excise due and payable Feb. 18 and May 18 following, when the condition of those recognizances were for paymt. of moneys to ye Queen's Collector or Receiver Generall, and they look on Mr. Fauconier's pretences that the recognizances were burnt, to be a fraud to deceive the Queen. *Endorsed*, Transmitted by Mr. Cockeril to the Earl of Stamford, Recd. Nov. 14, Read Dec. 27, 1709. 2$\frac{1}{4}$ *pp.* [*C.O.* 5, 1049. *No.* 146.]

[Nov 14.] **849**. Messrs. Rip van Dam, Wenham and Philips to the Governor Lord Lovelace, New York, Feb. 3, 170$\frac{8}{9}$. *Enclose following.* The stores in Fort St. Ann are in great disorder. We propose that the Commission Officers of H.M. Forces be ordered to make a compleat list of the old stores before they are intermixt with the new ones, *etc.* *Signed*, Rip van Dam, Tho. Wenham, C.v. D. Philips. *Endorsed as preceding.* 1 *p.* *Enclosed*,

849. i. List of stores and arms in Fort St. Anne, New York. 6 *pp.* [*C.O.* 5, 1049. *Nos.* 147, 147.i.]

Nov. 14. London. **850**. Micajah Perry, Thomas Byfield and Co. to the Council of Trade and Plantations. Mr. Thomas Wenham owes us a large sum on account of cargoes of goods. But he having a great intrest with the Ld. Cornbury, and being one of the Councell of New York, we cannot bring him to justice. *Pray* that he be removed from the Council. *Signed*, Micaj. Perry, Thomas Byfield, Joseph Marshall. *Endorsed*, Recd. Read Nov. 14, 1709. 1 *p.* [*C.O.* 5, 1049. *No.* 135; *and* 5, 1121. *pp.* 451, 452.]

Nov. 14. **851**. Mr. Solicitor General to the Council of Trade and Plantations. *Reply to* Oct. 31. I find the *Act to relieve this Colony* (New York) *from divers irregularities and extortions* agreable to the Law and practise of England in every part but the last clause, whereby 'tis enacted that no person prosecuted for any crime, and acquitted by verdict, shall be oblig'd to pay any fees for or relating to his prosecution, unless the Fees of the Officers respectively, whom he does or shall employ, for and in order to his necessary defence and discharge; for this clause may discharge such persons from paying the ordinary Fees to the officers of the Courts where they are prosecuted and tried, whereas Fees are due to the officers of our Courts upon all acquitalls. I am of opinion that the Act *for the easier partition of lands in joint tenancy or in common* will clear a difficulty which the people of the Colony who are jointenants or tenants in common have hitherto labour'd under, and is well enough contrived to answer the purpose intended by it. *Signed*, R. Eyre. *Endorsed*, Recd. 16th, Read 21st Nov., 1709. 1 *p.* *Enclosed*,

851. i. Duplicate of Mr. Popple's letter, Oct. 31. [*C.O.* 5, 1049. *Nos.* 136, 136.i.; *and* (*without enclosure*) 5, 1121. *pp.* 453, 454.]

1709.
Nov. 14.
Antigua.

852. Governor Parke to the Council of Trade and Plantations. Though I have not had the honour of recieving any letter from your Lordshipps since Aug. 12, yet I thinke it my duty (by all opertunitys) to informe your Lordshipps of the state of my Government. Wee are all in peace, and like to make good cropps (as the Planters tell me). Wee are threatned with the comeing of Ducass, but the Islanders will not believe it, and consequently will not spare one negroe to be imployed for their defence; they insist still upon their Speaker's haveing the negative voice, (or signeing last, which is the same thing) in passing all Laws. I have already writt so largely on this, and it being so largely treated of in my answer to the Articles, I shall not trouble your Lordshipps further with it, but expect your orders what I shall doe further in it. I have soe often tryed them, and they still insisting upon this point that I will never put the Island to the charge of calling them together untill I have your orders how to behave myselfe in this point. I have for this 8 months expected orders about it for the minutes relateing to this dispute were sent last November. All those that subscribed the Articles have been sumoned before the Councill to know if they did subscribe them, but there was not one that would owne it. I hope your Lordshipps will send me the originall to answer, and if what I am charged with be true, I ought to be punished, but if not, those that have falsely accused me. I can have no remedy but by action at law, and except I can have the originall (which they signed) I can have no action for the Law allows of noe coppys for evidence. By Act of Parliament, if I injure any one in my Government he may bring his action against me in any part of the Queen's dominions; if I have not the same liberty, I had better have been a Porter then a Governour. As I have been inform'd those that complained against Governour Crow signed what they had to say against him, and deliver'd it to him, this was acting fairely with him; on the contrary when I sent to them to desire them to lett me know my crimes, and if I had done anyone an injury, I would make them satisfaction, or if the Publick had anything to charge me with, let me know it, I would redress it, or the Assembly should sitt till they had drawne them up, to send home and my answer should goe with them, but I had no answer from them, but the articles were a secret to all but the managers. Two thirds of those that subscribed them knew not what they were (as has plainly apeared since) and it is a plaine demonstration those Articles were only to throw dyrt, for they expected to gett me out by the £5000 they had raised, and by my Lord Peterborrough's (Coll. Codrington's great friend) intrest, and it is their custome, after the Queen's, to drink his health. My Lord Marleborrough's is never dranke but by my friends, because he is my patron, nor do they ever rejoyce at his success, they never expected I should have had the Articles sent me, and have liberty to answer them, and talked soe in their publick discourse, and now it plainly appeares how much they depended on their Articles; for the *Diamond* comeing here

1709.

the latter end of August brought me a letter from my Agent, Mr. Perry, which informed me that your Lordshipps had made a report that I ought to have liberty to answer. This piece of Justice (which your Lordshipps did me) had like to have cost me my life, for on Sept. 5th, I was waylayd as I came home in the evening with two Gent. with me, and shott at from behind a hedge in a kane piece *etc. as letter from Michael Ayon*, Sept. 20. I shall loose the use of my arme. All that my friends could doe could not take the negroe, or him that was with him, they gott them of off the Island. I have charity enough to believe that not above 5 or 6 of them were guilty of this piece of villany, and by a great many circumstances the managers that sett Mr. Otto, and the negroe to do it, were Coll. William Thomas, and one Mr. Field, a drunken quarrellsome fighting parson, who runn away on the Saturday night, which was the night the first designe was laid, for I went out in the morning to view the troope, and Col. Byam's Regiment, but disapointed them by lyeing out at the Governour's. I was waylayd on Sunday night comeing home, but being surrounded by Gentlemen, they could not doe it; on the Monday night it was done, Otto and the negroe imediately absented. *Repeats part of Ayon's letter.* This negroe is a very noted fellow (though I don't know him myselfe) and is very remarkeable for his courage and being a good markesman, being a native of the place and imployed to shoot wild pigeons and the parson is noted even in this place for his cruelty, never was knowne to forgive a slave for absenting from his worke, often whipping them without mercy and castrateing them. The best negroe he had and one of the finest in the Island, he not only castrated but cutt off one of his leggs for absenting himselfe from his worke, the fellow dyed under his hands, he never was knowne to forgive a negroe or to begg for any. I haveing (myselfe) begg'd off severall negroes, the parson being afraid I should (sometime or other) begg for some of his, told me if anyone should begg for a negroe of his he would punish him the more for it, now the Parson's begging for this notorious fellow was a surprize to everyone till they found he was the negroe that shott me, the Parson's going off that very day that I was laid to be shott at night, for nobody that I can find out knew of his going off, till after he was gone, Mr. Laferte the Parson that preached for him the next day told me he knew nothing of his going off, and that he desired him only to preach that day, telling him that he was to goe to the other side of the Island. Mr. Field for this 4 or 5 year has constantly talked of going hence every fleet, and there was then some shipps ready to sayle, and the mann of warr was ordered to convoy them, and did doe it 3 or 4 days after, and our Great Fleet was to saile in 3 weekes; it is true the small vessell he went in was not used to stay for the great convoy, she had been ready for severall days, and I had writt my letters to goe by her, but the master told me he would stay a few days for the mann of warr to see him off, but just as I was going to bedd on the Fryday night, he comes to me and tells me he should sayle to-morrow. I did all I could to persuade him to stay two days longer for the mann of warr, since he had stayed already 5 or 6. I was the more earnest with him because she belonged to my friends Mr. Perry and Sir Jeffry Jeffreys, the Master seemed to be under some concerne, and went from me, as I thought, resolved to stay. I told him if he resolved to goe, to send for my letters in the morneing. I stayed at home till 10 in the morneing, nobody comeing for my letters, I sent them to the Collectors with orders if Capt. Harry sailed, to give him them, he sailed that afternoon and lay by over against Dr. Mackinnen's, which is about 3 miles to the northward of the harbour, it was there it seems hee tooke on board the Parson and Col. Thomas, and one he calls his wife, and their things which had layne there sometime ready. The Collector sent the Custome-house boate with my letters, but he would not stay for her. Everyone concludes they hired him to be ready at an hour's warneing, for he seem'd for severall days to be under some concerne, and used to say for severall days, he did not know but he might sayle to-morrow, and had been cleared at the Custome-house some time. I daresay they never told Capt. Harry the true reason, but what made him have a concerne upon him was, he being a stranger could gett nobody to be his secureity here, for all vessells by the law of the place, are to give a thousand pound secureity to carry nobody off without the Governour's lycence, and his vessell belonging to my friends in London, I desired two of my friends here to be his secureity and they are (by his takeing off those people without a certificate) lyable to pay the penalty. The reason wee suppose of his being kept soe long and allways to be ready, they wayted for my rideing out, which I seldome doe except it is to a muster, and since I was shott my people tells me this negroe came severall times to enquire if I was to ride out or not, and the first time I rid out they designed to sett sayle, for they were afraid (as I suppose) if the negroe or young Otto were taken, one or both might confess who sett them on to doe it. Another circumstance is, noe one had any influence over the young Otto but Parson Field, for though his father has a good estate here, yett the young man is a profligate wretch keeping company only with mallattoes, and such sort, they picked him to begin the riot. A circumstance against Col. Thomas besides his going off after this manner is that about Xmas last everyone thought that Mr. Nivine was lost going home with their Articles, for severall vessels comeing in brought no news of him. Col. Thomas at a meeting of their party at his house, they all being concern'd for the loss of Nivine, said lett us imploy some of our negroes to shoot him, and accordingly some litle time after, I was shott at but missed, and Capt. Clarke was alsoe shott in the eveneing takeing him for me, being such another as myselfe in my colloured clothes and on a white horse, which collour'd horse I generally ride. I tooke then no notice of it, though I was desired by my friends, for the future I shall never be out after sunnsett, nor goe out but I will have a number of my friends about me.

1709.

This action of theirs will doe me a kindness, if I have justice done me at home, for the people that were drawne in by their falce and scandallous storys beginns to see through it all, and very many abhor what they have done, so that I have noe doubt but when this complaint is over, to live very happy and to persuade them to make good Laws. Your Lordshipps may naturally conclude I had done some very great injury to these three people Otto, Field and Thomas; about two year agoe young Otto had a bastard by a poor wench, and he refused to take any care of it she complained to me I sent her to a Justice she told me she had but they would not meddle in it, whereupon I sent to him to take care of the child. In running the lines round the towne, I was forced to goe throw part of Parson Field's ground, and yet I did him very litle hurt, but he was as angry as if I had taken away part of his land for my owne use, and from that time preached such sermons to the people as I thanke God I never heard before. I disoblieged Col. Thomas because I would not turne out a man that I found Treasurer, and to whome the Country was much in debt, to put himselfe in his place; I would have made him of the Councill, and put him into the list I sent your Lordshipps, but that would not then please him because the other was more profitable, these are the crimes for which I was to be assassinated. A Bristoll shipp has brought us the good news of the Duke's victory near Mons. My friends and myselfe that evening expressed our joy in the best manner wee could, but the others seemed rather angry then pleased; they looked just as the Jacobites did when I brought the news of the victory of Hochstat. *Signed,* Daniel Parke. *Endorsed,* Recd. 14th, Read 19th Jan. 170$\frac{9}{10}$. 7 *pp.* [*C.O.* 152, 9. *No.* 5; *and* 153, 10. *pp.* 458-470.]

[Nov. 14.] **853.** Some considerations relating to the good Government of Barbados, presented to the Council of Trade and Plantations. Proposal to increase the Governor's salary, in order to keep him out of temptation, *etc.* If the Island decline as much in the next 20 years as it has done in the last, what will become of the women and children; for it will be incapable of subsisting the inhabitants? *Endorsed,* Recd. 14th, Read 28th Nov. 1709. 6½ *pp.* [*C.O.* 28, 13. *No.* 1.]

Nov. 15.
Whitehall.
854. Mr. Popple to John Baber. The Council of Trade and Plantations desire to speak with you upon your memorial, *etc.* (*cf.* Oct. 29). [*C.O.* 138, 13. *p.* 53.]

[Nov. 17.] **855.** Separate traders to Africa to Mr. Popple. Reply to queries, Oct. 21, 1709. *Discuss relations with the African Company.* As to the imports of negroes into the Plantations, but 3 of the 40 ships dispatched for this yeares trade are yett arrived in the Plantations, *etc.* *Refer to enclosure.* Negroes imported into Jamaica by separate traders have been usually sold at from £15 to £26 per head, at Virginia for about £25; but at Barbados and the Leeward Islands very deare, by reason of the

1709.

Planters of Barbados their creditt not being reestablished since they made their payments for negroes in paper money, nor is the creditt at the Leeward Islands well esteemed since the takeing of Nevis. The loss of 20 odd ships belonging to the separate traders last year, and 5 more lately hath been noe small discouragement to the progress and success of this trade to Africa this year. *etc.* The continuance of the 10 p.c. to the Company is noe small prejudice to the trade. *etc.* *Signed,* Peter Paggen and 7 others. *Endorsed,* Recd. 17th, Read 29th, Nov. 1709. 3 *pp.* *Enclosed,*

855. i. Account of negroes delivered at the Plantations by the separate traders Michaelmas, 1708—July, 1709. Jamaica, 3982; Virginia, 630; Barbados, 340; Antigua, 970. *Endorsed,* Recd. 17th, Read 29th Nov., 1709. 1 *p.* [*C.O.* 388, 12. *Nos.* 61, 61.i.,ii.; *and* (*without enclosures*) 389, 20. *pp.* 488-497.]

Nov. 17. Whitehall. **856.** Mr. Popple to Mr. Solicitor General. Encloses Act of Jamaica, 1709, *to enable the sale of certain lands, part of the estate of George Joy decd.*, etc., for his opinion in point of law, and particularly whether by the proviso "that nothing in this Act contained shall be construed to extend to barr or make void the right of any other person whatsoever to any of the lands abovementioned," the right of H.M. be sufficiently saved, in regard that H.M. is not expressly named therein. [*C.O.* 138, 13. *p.* 54.]

Nov. 18. Barbados. **857.** Governor Crowe to the Council of Trade and Plantations. This packet honours me with none of your Lordships. The three Councilours were immediatly sworne, and orders given for the takeing such affidavits as they think fitt, but as yet they have not sent me any coppys. I hear H.M. has been pleased to order me home, wch. I shall readily obey so soon as I have directions therein. My Lord High Admiral has sent over a Commission as Commissary to Mr. Woodbridge, which wholly takes away that of Vice-Admiralty; the Governours of Barbados have ever been invested with that power, so I thought it my duty to inform your Lordp. of this innovation that it may be lay'd before H.M. *Signed,* M. Crowe. *Endorsed,* Recd. 2nd, Read 16th Feb. 170$\frac{9}{10}$. 1 *p.* *Enclosed,*

857. i. Address of the General Assembly of Barbados to Governor Crowe, Oct. 5, 1709. Reasons against repealing a clause in the Act *appointing a Committe to settle the publick accounts,* which impowers the said Committe to appoint a clerk and marshall. (1) It is an ancient right and privilege, *etc.* (2) By Mr. Gordon's Patent he is only appointed Provost Marshall General, which wee can never suppose gives him a right to dispose of all other Marshalls' places to such persons as wee have seen lately striveing who should bid most, without regard to their qualifications, whereby extortion and exorbitant ffees will be exacted from the poor inhabitants to make

up the annual rent for the same. (3) Mr. Gordon's Patent is directly contrary to the Act of 1667 authorise-ing the Governour to appoint a Provost Marshall, *etc. Copy. Signed,* William Grace. *Endorsed,* Recd. Feb. 2, 170$\frac{9}{10}$. $1\frac{1}{2}$ *pp.*

857. ii. Governor Crowe's Speech to the Assembly of Barbados, Oct. 31, 1709. Lays following estimate before them, and urges them to act without delay, *etc. Same endorsement.* $\frac{3}{4}$ *p.*

857. iii. Estimate of necessaries wanting for the repair of the fortifications. Sept. 20, 1709. *Signed,* Jno. Pilgrim, Tho. Maxwell, Saml. Husbands, Saml. Adams, John Bowman, Wm. Ramsay, *etc. Same endorsement.* 14 *pp.*

857. iv. Copy of Governor Crowe's Order to Judge Thomas Beckles for taking depositions in behalf of Messrs. Sharpe, A. Walker and Beresford. Oct. 28, 1709. *Signed,* M. Crowe. *Same endorsement.* 1 *p.*

857. v. Deposition of Arthur Upton that he delivered above order with a copy of Mr. Sharpe's Representation, to Mr. Beckles, Oct. 28, 1709, *etc. Same endorsement.* $\frac{1}{2}$ *p.*

857. vi. Deposition of Arthur Upton that Alexander Walker delivered to the Governor H.M. Order for the re-admitting of the three Councillors, when the packet was out for sailing *etc.* Governor Crowe told Walker the order should be immediately obeyed, *etc. Same endorsement.* $\frac{1}{2}$ *p.*

857. vii. Deposition of Arthur Upton. On Oct. 14, H.E. ordered deponent to wait upon Mr. Sharp for a copy of his representation, in order to H.E.'s giving an order thereon for examining witnesses according to H.M. Instructions, Mr. Sharpe said he would order the coppying of it out, but did not deliver it till Oct. 22nd, although deponent several times called upon him for it by H.E.'s express commands. *Same endorsement.* $\frac{3}{4}$ *p.* [*C.O.* 28, 13. *Nos.* 21, 21.i.-vii.; *and* (*without enclosures*) 29, 13. *pp.* 96, 97.]

Nov. 18. St. James's. **858**. Order of Queen in Council. Repealing Act of Jamaica *for quieting possessions* and giving directions therein to the Governor as recommended, Nov. 9. *q.v. Signed,* Wm. Blathwayt. *Endorsed,* Recd. Read Nov. 24, 1709. 2 *pp.* [*C.O.* 137, 8. *No.* 73; *and* 138, 13. *pp.* 65, 66.]

Nov. 18. *Litchfield,* Bearhaven in Ireland. **859**. Commodore Taylor to the Council of Trade and Plantations. I herewith give the best account I can of Newfoundland, but am asham'd it cannot be perticular to every Article of your Instructions, which I did not recieve untill Oct. 4. *Signed,* Jos. Taylor. *Endorsed,* Recd. 1st, Read 5th Dec., 1709. *Addressed.* $\frac{1}{2}$ *p. Enclosed,*

1709.

859. i. Commodore Taylor to the Earl of Sunderland. Nov. 18, 1709. This gives an account of what condition I found St. John's, which had been taken Dec. 21, 1708, by about 160 Frenchmen from Placentia, commanded by Monsr. St. Ovide de Brouillion. The Castle on the South side of the entrance of the harbour was blown up and demolished, the cannon that were there, and those that were in the Old Fort were carried to Placentia, where they are said to be all mounted; all the buildings that were in the Old Fort, with the gates and drawbridges, were burnt down, the platforms pull'd up and spoyl'd, part of the Bank on the Southside pull'd down, the pallisadoes cut, pull'd up and destroy'd, and everything ther ruin'd, all the inhabitants' houses in the town or New Fort burnt, and to save their summer houses, stages, shallops *etc.*, ransom'd at 100 quintals of fish, or £70 sterl. for each shallop they should send to sea a-fishing, the enemy to find for each shallop 20 hhds. of salt, which ransome is payd. After the fishing season was over, I had severall meetings with the inhabitants of St. Johns, Quidi-Vidi, and Petty Harbour, to desire them to build their winter houses in the Old Fort, which when I had perswaded them to give their consent to do, I (with the men of H.M. ship under my command, and some out of the *Rye*, and the help of the fishing ships) began to rebuild it, whilst they built their houses in it, which by Oct. 20 was completely finish'd, and in the opinion of all that had seen it before it was destroy'd by the Enemie, is now much more defenceable, there have (by the nearest computation) been used about it in pallisading, stockading *etc.* 10,000 sparrs, which wee cut and brought out of the woods, the charge I have put H.M. to is very little, and only for nails to fasten the pallisadoes, etc., and boards for the guard-houses, a prison, centinel-boxes, and trunks to throw the bomb shells into the ditches, *etc.* I have mounted 8 guns in it. *etc.* *Refers to enclosures, and repeats preceding.* I have given a Commission to Mr. John Collin to be Governour; he is an inhabitant of St. John's of good repute there, and was chosen Governour by the rest of the inhabitants, who also chose all the other officers, which are in a list now sent, together with the Officers of the Isle of Boys and the Island in Conception Bay, where I have oblig'd the inhabitants of the Main to transport themselves, their families, effects and provisions, and to whom I supply'd all such stores as they wanted. I have done all that was possible for me to do, and what I thought best for H.M. service, *etc.* And for the farther security of that Country, I believe it necessary to send speedily a supply of provisions to St. Johns, which they will be in need of, and to send

1709.

proper persons to rebuild the Castle on the South side of the entrance of that harbour, with men, cannon and ammunition for the defence of the same, and when H.M. shall be pleased to garrison the Fort of St. John's, I pray that H.M. may be moved to give some allowance to the Inhabitants for their houses in the said Fort, which must then be pull'd down, and if the Governour and Officers there should behave themselves well in maintaining and defending the Fort, I humbly pray they may be recommended to H.M. favour, as they shall deserve. And whereas there are some persons in and about St. Johns, who may after my comeing away slight and contemn the Governor's authority to the prejudice of H.M. service, I therefore pray that the Officers who shall be appointed to command in Newfoundland the next year, may have orders to enquire into the same, and punish the offenders, according to the merit of the cause, and countenance and incourage the Governour in his authority. After the enemy had taken St. Johns, a French shipp of 26 gunns made an attempt upon the Isle of Boys, but was repulsed from thence without doing much damage, so made no other attempt anywhere. The New England sloops which bring to Newfoundland bread, flour, pork, rum, mallasses, suger, tobacco, sheep, etc., at their going from St. John's, when the fishing season is over, stop at severall small harbours and coves on the coast, and there take in artifficers and seamen, (who wait their for their comeing) and carry them to New England. I have endeavour'd as much [*as*] I could to prevent it, though impossible, unless a sloop be kept upon H.M. charge to see them off the coast. The Governour of Placentia sent two shallops with about 70 of H.M. subjects who had been prisoners there, but all the seamen went out of them to the Southard of Ferryland, and I suppose went from thence to New England, there being no account to be had of them in Newfoundland. All the French prisoners which have been taken and brought into Newfoundland by H.M. shipps and privateers, which were to the number of about 120, have been sent to Placentia; there are now aboard H.M.S. under my command one serjeant and 3 private centinells of the Garrison of St. John's Fort when it was taken. I desire to know what I must do with them. *Signed*, Jos. Taylor. *Endorsed*, Recd. Dec. 1, 1709. *Copy*. $2\frac{3}{4}$ *pp.*

859. ii. (a) Account of the stores left in the Fort of St. Johns by Commodore Taylor, and a list of the Officers there. $3\frac{3}{4}$ *pp.*

859. ii. (b) List of Officers at Newfoundland. *Signed and endorsed as preceding.* $1\frac{3}{4}$ *pp.*

859. iii. Account of the Fishery in Newfoundland, 1709. Number of ships 35; men, 985; ships' burthen, 3650;

shalops, 384; half shalops, 6; quintals of fish made, 90,364; hhds. of traine made, 2013; masters, 181; servants, 1251; women, 171; children, 280.

Export; to Portugal, the Streights, West Indies and Great Brittain; ships and sloops, 62; burthen, 6370; quintalls of fish, 80,600 (3500 to the West Indies, the rest to Portugall and the Streights); hhds. of traine oil, partly from seal, 2292 to Great Brittain.

There are ships enough in the land to carry away what fish is left. The prices of fish was 24 royalls per quintal, some have been sold for 22, and at the last of the year for 28. Bread have been sold there for 40*s.* per cwt., and all other provisions proportionable. *Signed and endorsed as preceding.* 2 *pp.*

859. iv. Account of Placentia in 1709. There are liveing upon the Great Beach of Placentia 47 familys, the greatest part boat-keepers, upon which beach there is no manner of fortification; the inhabitants are well arm'd, and commanded by one Rochford a Militia Major and inhabitant of the place; the inhabitants in case of an allarm have their respective posts for their defence. Upon the Little Beach are but few houses except what are built within the Fort, and those only stores, excepting one suttling house. The Fort itself is a quadrangle, and has in it 26 gunns mounted, 16 of which front towards the sea, 8 fronting the entrance of the harbour, and 2 faceing the Little Beach, with pallisadoes sett double about 10ft. distance and fill'd up with dirt, the platform raised in the inside that fronts the sea and entrance of the Harbour of about 4 foot, upon which the gunns are mounted, and the works not above 5ft. high from the platforme, the other two sides are plain and only fortify'd with a double row of pallisadoes, between which are placed 2 cannon fronting the mound; the magazine is in one corner of the Fort next the little Beach built with stone. A considerable quantity of ammunition with one chaine for to secure the Harbour, was brought from France in the Fiddell (? *Fidèle*) man of warr this year. The redoubt upon the hill looking into the Fort is built with stone and pallisado'd round, in which a guard of 30 men are kept, commanded by a Lieutenant and relieved monthly; they have now 14 gunns and 2 mortars, the gunns are mounted over the walls upon which are placed great stones to roll down if assaulted. There is another small Fort building opposite to the Redoubt, which is design'd for the muskittry to cleer the redoubt when attempted, at the foot of the redoubt under the hill is four gunns mounted to defend the entrance of the road *etc.* There is not water to be had at the Castle, but what is brought up by soldiers and mules and kept in cisterns, which water is brought from a valley near the fourth

1709.

of a mile from the Redoubt. The inhabitants on the Great Beach are oblig'd to cross an arm of the harbour for all the water they use. The Fort has the same trouble of bringing in their water. *Little Placentia* is about two leages to the southard of Great Placentia. The Harbour's mouth is so shallow that only vessells of 40 tuns can enter, so that no manner of commerce is there had by shipping. The Bay is large and good rideing for shipps, there are about 20 familys boatkeepers that keep 24 boats and 150 men, no fortification. Upon the seaboard side going along to Little Placentia is a small Chappell, before which is raised works with sodds about 6ft. high in forme of a half moon, out of which are cut 6 posts, a large flagg-staff and cross standing by it, the which is only built for a show of a Fort, when really it is nothing but a scarecrow. It's dangerous sailing along that shore in the night by reason of a rock which appears above water at low-water about a mile from the shoare, the Rock is call'd Le Bass de la Marquise. At *Odiorn* in the Bay lives but 2 familys, the Principal, who has a Pattent from the King of France for that place, and has at his own charge built a fort of 4 gunns: keeps 10 boats and 60 men. *Little Paradise*, a fishing harbour in the Bay by pattent to Mr. Lartogue, keeps 8 boats, 50 men, no fortifications. At Cape St. Mary's are no inhabitants, the Fishery there is only kept by the Bask shipps, that have yearly upwards of 150 boats, the fish is there salted, and brought thence in shalloways to Placentia where it is cured. The trade of Placentia is much inferiour to that of the English coast of Newfoundland; nothing but the Fishery is there minded; here are about 50 Artificers dayly at work cutting stone out of a large quarry, of which they have abundance, in order to build a wall all round the Fort, and have allready built one square, that fronts to the harbour about 10ft. high, which is levell with the lowest platforme of the Fort. The ships useing Placentia are generally fishing ships; each shipp commonly kills their ladeing of fish, there are yearly from 40 to 60 sail, the greatest number of which are Bask, and but few of them off any force. The Malwinds that use the trade are generally shipps from 10 to 24 gunns, of which there are 15 to 20 sail yearly. The number of boat-keepers by the French at Placentia and places adjacent, I judge may be 360, of which belongs to the shipping 230, there is not left in the whole country, soldiers included, (of which there are now near 400) not 800 men after the saileing of their shipps. The French trade from Canada, although but very small, is very advantagious to the inhabitants, there does not above 6 small vessells use the trade yearly; their loading consists of flour, bread, and pease, for which they

1709.

expect salt, wine, brandy, and other merchandize; the prices of bread and flour are generally from 18 to 24 livres per quintall. Two shipps and a sloop was sent in June last to load provision for the garrison, which if miscarry will raise the price to a prodigious degree, and most of the people must starve for want of bread. St. Peter's Island being so often plundered and taken by our English galleys is allmost abandon'd, few shipps fish in that place, and none since the last year in St. Mary's Harbour. *Endorsed*, Recd. Dec. 1, 1709. 2½ *pp.* [*C.O.* 194, 4. *Nos.* 97, 98, 98.i.a,b.—iii.; *and* (*without enclosures*) 195, 5. *p.* 112.]

Nov 18. **860**. Address of the Governour, Council and Assembly of the Massachusets Bay to the Queen. Boston, Nov. 18, 1709. Address concerning Port Royal and Nova Scotia in the same terms as tho resolution of Oct. 27, *q.v.* 1 *p.* *Signed*, J. Dudley, Isa. Addington, Sec. Council, John Clark, Speaker. 1 *p.* [*C.O.* 5, 9. *No.* 46.]

Nov. 18.
St. James's. **861**. Order of Queen in Council. Repealing Act of Barbados *for appointing Agents, etc. v.* Nov. 9. *Signed*, Wm. Blathwayt. *Endorsed*, Recd. Read Nov. 24, 1709. 2 *pp.* [*C.O.* 28, 12. *No.* 49; *and* 29, 12. *pp.* 53, 54.]

Nov. 18.
St. James's. **862**. Order of Queen in Council. Confirming Act of Barbados, *for holding a Court of Grand Sessions, etc. v.* Nov. 11. *Signed and endorsed as preceding.* 1½ *pp.* [*C.O.* 28, 12. *No.* 50; *and* 29, 12. *pp.* 55, 56.]

Nov. 18.
Whitehall. **863**. Mr. Popple to Mr. Perry and Mr. Hyde. The Council of Trade and Plantations desire to know what has been done in Virginia and Maryland towards the building of ports in pursuance of the Acts of each Province, etc. [*C.O.* 5, 1362. *p.* 436.]

Nov. 18.
Whitehall. **864**. Mr. Popple to Sir Charles Hedges. Encloses extract of letter from Governor Parke, June 20, complaining of the Depty. Secretary of the Leeward Islands. [*C.O.* 153, 10. *p.* 435.]

Nov. 19.
Antigua. **865.** Governor Parke to the Council of Trade and Plantations. Last night a litle before midnight I recd. a letter from the Lt. Governour of Nevis, that Saint Eustatia was taken by the French on Monday the 14th inst. The Capt. of the *Diamond* mann of warr informes me that on the 17th being under Dominico he was chaced by two menn of warr and six sloopes that came from Martineque to Guardalupa. I am afraid that those vessells waytes for the returne of those that tooke Saint Eustatia and will attacke some or all of those Islands, if they doe we cannott assist one another, haveing but one man of warr here, and no vessells to transport our men our fleet being just gone,

if they attacke us, we are in a very bad condition to recieve them, but I hope I shall doe my duty. *Signed*, Daniel Parke. *Endorsed*, Recd. 16th, Read 19th Jan. $170\frac{9}{10}$. *Addressed. Postmark.* 1 *p.* [*C.O.* 152, 9. *No* 6; *and* 153, 10. *pp.* 483, 484.]

Nov. 21. Whitehall. **866**. Mr. Popple to Mr. Jenings. Encloses duplicate of letter to be forwarded to the President of the Councill of New York. [*C.O.* 5, 1362. *p.* 437.]

Nov. 22. **867**. Mr. Solicitor General to the Council of Trade and Plantations. *Reply to* Nov. 17. I have no objection to the Act of Jamaica *referred to*, and am of opinion that the right of H.M. is sufficiently saved by the proviso, *etc.* Signed, R. Eyre. *Endorsed*, Recd. Read Nov. 23, 1709. 1 *p.* *Enclosed*,

867. i. Duplicate of Mr. Popple's letter, Nov. 17. [*C.O.* 137, 8. *Nos.* 70, 70.i.; *and* (*without enclosure*) 138, 13. *pp.* 55, 56.]

Nov. 23. **868**. Mr. Attorney General to the Council of Trade and Plantations. *Reply to* Nov. 12. I am of opinion that the Governor and Queen's Councel at Jamaica have done all that by Law can be done for recovery of this ambergrease for the Queen. For a jury have it in their power whether they will give a general verdict or a special verdict. And the most that the Queen's Councel can do is to desire them not to take upon them the determination of matters wch. in point of law are disputable, but find the facts specially, and submitt the points of Law to the judgemt. of the Court, and this I understand was done by the Queen's Attorney General and Mr. Brodrick, but the Jury refus'd to give a special verdict, and found generally for the Deft. agt. the Queen. This refractoriness in the Jury is oftentimes seen in our Courts here in England, and when it do's happen, the Queen's Councel are forc'd to submitt, unless they can hope to get a more favourable Jury return'd, and then indeed they move for a new tryal. But in this Grand Court of Jamaica I understand it usually go's agt. the Crown, where there is the least shaddow for so doing. And therefore I much question whether granting a new tryal will be of any avail. In all likelyhood it will only run the Queen into greater charges and expences, for wch. reasons I cannot advise anything further to be done than what has been already directed and attempted. *Signed*, Jas. Mountague. *Endorsed*, Recd. Read Nov. 23, 1709. $1\frac{3}{4}$ *pp.* *Enclosed*,

868. i., ii. Duplicates of Mr. Popple's letter and enclosure, Nov 12. [*C.O.* 137, 8. *Nos.* 71, 71.i.,ii.; *and* (*without enclosures*) 138, 13. *pp.* 56-58.]

Nov. 24. Antigua. **869**. Governor Parke to the Council of Trade and Plantations. In obedience to your Lordshipps' commands I have made dilligent inquirey concerning the affair relateing to Robert Freeman and the petition of his brother. The petition and reasons therein delivered to have an Act to pass for the sale of certain parcells of land he then held in right of his wife, was in every part true; the said land was a burthen and charge, at that juncture of time, unto him. I further certifie that he with his wife did sell, after the passing of the Act, some parcells of land which were improved by the purchacers before his wife was of age, and that the deeds of sale was not brought for aprobation and wittnessed by the Governour, Councill and Assembly, as the said Act directs should be, and likewise the said Robert with his wife did live together for some years after she came to her full age, and then he dyed without makeing any other deed to the purchacers of the said land, some of which have been since sued for by one Pearne, who intermarryed with the said Mary. Freeman by his will did devise to his said wife all his plate and houshold stuff, with the choice of 7 negroes, a rideing horse and furniture for ever, which is of more vallue here then £500 current money of this Island, as also the third part of what sugars, or other commoditys, shall be made of his plantation or plantations dureing her life, which some yeares may be worth more than £100. *Signed,* Daniel Parke. *Endorsed,* Recd. 2nd, Read 16th Feb. 170$\frac{9}{10}$. 1 *p.* *Enclosed,*

869. i. Petition of Robert Freeman to the Queen, that an Act of Antigua, 1700, may be confirmed. *Copy.* 1$\frac{1}{2}$ *pp.* [*C.O.* 152, 9. *Nos.* 12, 12.i.; *and* (*without enclosure*) 153, 10. *pp.* 481-483.]

[Nov. 24.]
Carolina.

870. Extracts of letters to Col. Rhett from Carolina by his Lady, concerning the Bahama Islands, Feb. and April, 1709. Adrean Willson, Master of Mr. Gibbins' sloop laden with provisions bound to Jamaica was taken of the Bahama Islands by Capt. Pasquean, who was Commander of one of the French shipps who invaded us and you tooke afterwards at Seawee Bay. Hee has a sloop of fouer gunn and 70 men, and has taken 17 prizes this summer amoungst the Bahama Islands. Poore Benja. Symms bound for Jamaica, and wee fere Capt. Watson has meet the same fate, for hee has binn expected any time this too mounths. The French and Spaniards are settled at Exuma and cruse of all the Bahama Islands, soe that wee fere noe vessell will be able to escape them that are bound that way or to Jamaica; they have taken Capt. Holmes and his wife and all his richis, tying lighted macthes beetwene there fingers, and burnt them to the bone, to make them discover there wealth, and they killed Mr. Perrion Trot's wife in a most barberous manner with there crueltys, to make hir confess where Col. Elding and his riches were. The Capt. of the French privatere which took Capt. Williams gave him a sloop to carry him and the rest of the priseners to Carrolina, but as hee was going by Providence, the French and Spaniards tooke them againe and stripped them, tooke there sloop away and put them on a maruaen [— ? *maroon*] Island, where they lived upon conckes and wilkes seavrall weekes, till Capt. Joyce by chance found them and tooke them on board, else must have perrished. The Governor of Bermuda haith lately sent a sloop on purpose with ann ex-

1709.

press to our Governor to acquaint him that the French and Spaniards desinge to attack us this summer, and wee are satisfied the Lords Proprietors will neither supply us with powder nor nothing else for the defence of this place, tho' they have binn addressed. Therefore our Assembly has sent a petition to the Queene humbly requesting to take us into hir imediate care and protection, the coppy of which I here inclose to you. *Signed,* Wm. Rhett. *Endorsed,* Recd. Read Nov. 24, 1709. *Copy.* 1½ *pp.* [*C.O.* 5, 1264. *No.* 85.]

Nov. 24. Whitehall. **871.** Council of Trade and Plantations to the Earl of Sunderland. Enclose extracts of Governor Handasyd's letter, Sept. 8, relating to privateers and ships of war. [*C.O.* 138, 13. *p.* 64.]

Nov. 25. Whitehall. **872.** Council of Trade and Plantations to Governor Handasyd. *Acknowledge* letters of May 25, 26, June 14, July 18, and Sept. 8. The news of the *Portland's* taking the French Guinea ship and of your privateers taking the 3 prizes, was very acceptable to us; though at the same time we were very sorry to find your Regiment had suffered so much on board the *Portland*; and should have been ready to have assisted Capt. Gardner in what we were able, but that on discourse with him we are informed 120 recruits have been already shipt off, and that 30 more are to go by the next packet boat, so that according to what he tells us there will be 30 men sent more than were wanting when you last writ to him. We have likewise discoursed with him on the subject of the mony you have expended for private intelligence, but as you have neither sent to him nor to us any particular account of that expence, we cannot proceed therein. So soon as you shall send to Capt. Gardner such an account, he will lay the same before H.M., and if it be referr'd to us, we will farther it all we can. We have considered the Acts you sent us, and shall lay our opinion thereupon before H.M., and particularly that that relating to the estate of Mr. Ivy decd. be confirmed. What you have done in relation to the fortifications is very commendable, and we hope that before this time the new line you were making is perfected. You complain, and we beleive with reason, of the deadness of our trade to the Spanish coast: but we wish you had been able to have explained that matter more fully; particularly how it comes that the Spaniard want mony now more than formerly. Is not the reason of their not buying of us, that they are furnished with European commodities from the French: may they not also be supplyed with the said commodities for Curaçao and St. Thomas. What you say of 6 nimble ships of war for protection of the trade, would undoubtedly be of service; but we very much question, that besides the squadron that attends your Government, whether such a number can be spared now. We observe what you write in relation to flags of truce, and can onely advise you, that when any arrive all the care possible be taken that they get as little intelligence of the state of Jamaica as may be: for we do not think it proper you shou'd absolutely forbid them your Government. In relation to the ambergreece, we enclose the opinion of Mr. Attorney General (Nov. 23). In relation to the Members of the Councill that are Factors to the African Company or others concerned in the negro trade, we can onely advise you to pursue your Instructions, the Act of Parliamt., and such directions in relation thereunto as were sent you by the Earl of Sunderland (*cf.* April 21). What we desire in relation to the value of prizes is onely the best account you can give. We have transmitted to ye Lord Treasurer the accounts of the Revenue you sent to us. We are in hopes to hear a good account of La Vera Crux Fleet and of the pirates you mention, from the vigilance of your privateers. As to what you write us in relation to the lands claimed by Mr. Jones, we think it just and reasonable that he and others having lands in Jamaica should pay their quit-rents according to the Laws and Constitutions of that Island. We have no account of any intended expedition of the French against your Government. However in case such a thing should happen, we have no doubt of your care and zeal in the defence of the Island. We have received your letter of July 18 last, but not the duplicate thereof mentioned to be inclosed in yours of Sept. 8. You say, Sept. 8, that "ye great disputes betwen the Collectors of H.M. outward customs and the Captains of the privateers, as also the private sailors will be a disadvantage." We wish you had explained this; for we do not understand what the disputes are you mention, nor how they arise, you will do well therefore to give us more particular information if you expect that we should do anything in it. We have received the list of escheats you sent us, and are of opinion that you forbear granting the same, till you hear further from us thereupon. The reason is, that there is a proposal before H.M. for settling 1000 Palatines at Jamaica, the substance of the proposal is contained in the inclosed paper, and therefore till H.M. pleasure be known, we think it will be prudent to forbear regranting the said escheats. *Enclose* Order in Council repealing Act *for quieting possessions* etc. with reasons *etc.* (Nov. 18). [*C.O.* 138, 13. *pp.* 67-73.]

Nov. 25. Antigua. **873.** Governor Parke to the Council of Trade and Plantations. This is the minutes of the Councill to this day. Your Lordshipps will observe that at the last meeting I had the Assembly before the Councill, and before they were summoned I asked the opinion of the Councill what was to be done in case they refused to give me assurance, when I called them before me, to allow the Queen the negative voice; their opinion was to adjourne them, which accordingly I did. Now I begg leave to informe your Lordshipps that when they sent me word they would allow the Queen the negative voice, we had an account the French had taken Eustatia, but that morneing they mett (which was in two days after) we had an account they were only some privateers, that had taken Eustatia, and they were gone to Leeward, soe the danger was over; as to the answer

1709.

they gave me, they would answer me in the house, this was bantering me, for they met together before I sent for them some time, and came to me in a body with the Speaker at the head of them; I told them I never would receive any message from them signed by a Clerke that was not sworne truly to enter what passed, for I have found the effect of not haveing a sworne Clerke upon severall occasions, and that Nivine in England in his and the seaven merchants' last petition to the Queen had the impudence to averr that the Assembly unanimously came to a resolution May 29, 1708, to lay before the Queen, etc., and that it was soe entred in their bookes, which if soe is false, for that severall of the Members doe avver they never came to such a resolution, so that haveing no sworne Clerk, and the Speaker keeping the Assembly bookes, he might enter what he pleased; and that I was refused coppys of their Journalls to send home as I am oblieged by my Instructions, and that the man that acted for them last as Clerke, declared on oath that he was forbidd to give me coppys, and the Speaker tooke the books from him. When I have Justice done me at home, they will doe their duty here, and not before, for every packett they recieve letters that I either am suspended or will be by the next packett. I designe to call a Generall Councill and Assembly of all the Islands, and they can make Laws for the whole Goverment; this is the only Island that pretends to this ridiculous priviledge, of the negative voice or signeing last, which is the same thing, for it is giveing the last sanction, and to act without a sworne Clerke. *Signed*, Daniel Parke. *Endorsed*, Recd. 2nd, Read 16th Feb. 170$\frac{9}{10}$. 2 *pp*. [*C.O.* 152, 9. *No.* 10; *and* 153, 10. *pp*. 476-478.]

Nov. 25.
Antigua.

874. Governor Parke to Mr. Popple. *Acknowledges* letter of Sept. 14. I was mightily surprized when I heard my tryall was to come on before the Queen and Councill, of Sept. 5, without haveing the affidavitts sent me by the Lords; one of the affidavitts came to my hands, the which I can prove to be false, and the deponent perjured, but by such affidavitts all false articles must be supported. *etc. Repeats part of preceding. Signed and endorsed as preceding. Addressed. Sealed. Postmark.* 1 *p*. [*C.O.* 152, 9. *Nos.* 11 *and* 25; *and* 153, 10. *pp*. 479, 480; *and* 153, 11. *pp*. 38, 39.]

Nov 25.
Antigua.

875. Governor Parke to the Earl of Sunderland. I am heartily sorry for all the trouble your Lordshipp and the Councill has been put too on my account, *etc.* I hope the inveteracy of the stile the spirit of malice that apears in the whole charge will pass as evidence for me; but men who will not stick at assassinations will scarce make any scruples at perjurys, *etc.* But I need not feare Justice from them who administer it, *etc., etc. Signed*, Daniel Parke. 3 *pp*. [*C.O.* 152, 42. *No*. 12.]

Nov. 26.
London.

876. Majority of the London Proprietors of New Jersey to the Council of Trade and Plantations. *Pray* that Daniel

Cox, Roger Mompesson, Richd. Townly, Peter Sonmans, Wm. Pinhorn, and Wm. Sandford be left out of the Council, as disturbers of the People. Mr. Sonmans is charged with oppression and maleadministration, and both he and Mr. Cox with having grossly abused the interest they had with Lord Cornbury to the prejudice of the rights of the Proprietors, *etc. Set out,* N.J. Archives, 1st ser. iii. 497. *q.v. Endorsed,* Recd. Read Nov. 30, 1709. 1 *large p. Torn. Enclosed,*

876. i. Petition of Freeholders of Middlesex to the Representatives of New Jersey against Mr. Sonmans. 41 *Signatures.* [*C.O.* 5, 970. *Nos.* 90, 90.i.; *and* (*without enclosure*) 5, 995. *pp.* 31-33.]

Nov. 28. Queen Street, Westminster. **877**. Commissioners for stating the Arrear due from King William, to Mr. Popple. We find in your demand of the arrears due to the Council of Trade and Plantations, a demand for the Earl of Stamford as one of those Commissioners on his salary of £1000 per annum from Michaelmas 1700 to March 8, 1701. We do not find his Lordship in the Exchequer Account among the other Commissioners, and therefore desire to know whether his Lordship was on the establishmt. with salary, or whether his Lordship might not be cleared that arrear. And observing that in the Exchequer account, John Lock Esq. is inserted as a Commissioner of Trade, and made to be in arrear from Midsummer, 1700 to March 8, 1701, with a Memorandum "if not dead or superseded," there being no demand made for him in your list, we desire to know the reason, and whether he was succeeded by the Earl of Stamford, any other, and the time when. *Signed,* Grery. King, Wm. Vanbrugh, Edmd. Williamson. *Endorsed,* Recd. Nov 28, 1709. 1 *p.* [*C.O.* 388, 76. *No.* 91; *and* 389, 36. *pp.* 449, 450.]

Nov. 29. Whitehall. **878**. Council of Trade and Plantations to Governor Parke. *Acknowledge* letters of 4, 16, 23, 24 May, 20, 26 and 27th June. As to the Assembly of Antego, we can only advise you to pursue the Instructions you have from H.M., which will be a sufficient justification to you. If there be any irregularity committed in the clothing or paying of the soldiers, which is a matter not properly in our Province, you ought to lay the same before the Secretary of War, in as particular a manner as you are able, that the necessary directions may be given for the relief and ease of the said soldiers. We are glad H.M. provision ships were arrived and we hope they have been a seasonable relief to St. Christophers and Nevis. The Acts we have received from you will be considered; the other papers you have sent us, which in any ways related to your justification, have been communicated to Mr. Perry *etc.* You will do well to use your utmost endeavours to convince the Assembly of the necessity of passing of good laws for setling of Courts, which is so much their own interest, for that without such laws, whereby persons may easily come to their right, the credit of the Islands under your Government will very much suffer. You have again fallen into the same error as that we complained of, Nov. 25, by admitting Mr. John Norwood into the Councill of Nevis, when it appears by our books notwithstanding the absence of Col. Smith, that there was 10 Counsellors besides the Lt. Governor upon the Island, and besides the said Norwood is not upon the list of those recommended by you. This is the more irregular in that we had already admonished you of it, and therefore we do not think fit to recommend him to H.M. till we are better sattisfyed in this matter; however we shall not offer any to be of your Councills who have signed the articles against you. We have acquainted Sir Charles Hedges with what you writ in relation to the Deputy Secretary, and Sir Charles has thereupon assured us to write to the said Deputy that he behave himself better for the future or that he shall be obliged to remove him, and you will do well to admonish all the other officers that unless they furnish you with copies of such papers as are necessary to be transmitted to us from their respective offices, we shall complain to H.M. of their neglect. We hear as yet of no complaint against the Lieut. Governour of Antigua, if any such do come to us, we shall not fail of doing him justice, and that he will not be censured without being heard, wherewith we desire you to acquaint him. [*C.O.* 153, 10. *pp.* 436-439.]

Nov. 29. Whitehall. **879.** Council of Trade and Plantations to the Queen. Report upon Acts of New York, 1708, 1709. *Act for regulating fees.* In Sept. 1693 a table of fees was prepared by the then Assembly, and sent to the Governor and Council, with their desire that the Governor would establish the same as the standing fees of the officers in that Government, which was accordingly done; and no complaint that we have heard of has hitherto been made against the same. The present Act reduces most of those fees so low that it is alledged 'tis very difficult, if possible, for the officers to live upon the profits of their places; and in many cases it allows no fees for several particular services necessary to be done. It lays a penalty of £50 upon any person who shall demand or receive other fees or sums of mony than are therein mentioned, and disables all practicers of the Law that shall do so from ever practising any more in that Province, tho' the Act itself is but for 3 years. It lays yet a greater hardship upon the said practisers at Law; for it enacts that none of them shall receive under the said penalty above 6*s.* retaining fees, New York money, and obliges them under the said penalty of £50 to accept the said retaining fee, if not already retained by the adverse party, tho' against a friend or nearest relation, and tho' the cause in their opinion be never so unjust. There are several other objections to this Act; but as we think these are sufficient to trouble your Majesty with at present, we humbly offer that your Majesty be pleased to signify your disallowance and disapprobation of the said Act, in which case the Table of Fees established in 1693 will be in force again. (2) An Act to releive this Colony from *divers irregularities and extortions.* By a clause in this Act, all the officers are prohibited from taking any fees but what shall be settled by consent of the people convened in General Assembly, and some positive law so enacted, *etc.* Whilst this Act is in force, no fees can be taken but such as are settled by Act of Assembly, so that if your Majesty shall think fit to repeal the foregoing Act *for establishing fees,* unless this be likewise repealed, no fees can be received by the Officers there, those of 1693 not having been established by a law, and therefore we humbly offer that it be repealed. In case your Majesty repeal the said two Acts, we further offer that your Governor now going over have an Instruction to reconsider the said table of fees of 1693, and with the advice and assistance of the Council, if need be, to prepare such another as may make a reasonable provision for the said officers, and be most agreable to the circumstances of that Province. (3) An Act *to enable the Mayor, Aldermen and Commonalty of the City of New York to raise* £600 *in two years for the uses therein mentioned.* (Oct. 1708). By your Majesty's Instructions the Governor is required not to pass any Act for levying of money without express mention be made in the Act that the said mony is granted or reserved to your Majesty for the publick uses of the said Province; and whereas the said Act grants the £600 thereby to be levied to the Mayor, Aldermen and Commonalty for the use of the City of New York, contrary to this rule, we humbly offer that it be disallowed. (4) An Act *for levying of* £6000 (May 1709). The preamble sets forth that it is for defraying the charge of the intended expedition against Canada; it is therefore temporary and has had it's effect. But as there is a clause in it that directs that the mony thereby to be raised shall be paid to and issued by the Treasurer according to the value of money in the Act (1708) *for regulating current coin* which was repealed (March 3, $170\frac{8}{9}$), we humbly offer that this Act be likewise repealed. (5) An Act *for the currency of bills of credit* for £5000 (1709). This is to give currency to bills for part of the £6000 in the foregoing Act, and therefore it will be proper that this likewise be repealed. Besides, this Law is compulsory, and enacts that the tender of the said bills for the payment of any debts whatsoever shall be as good and effectual in law as if the current coin of that Colony had been offerred; which is an intolerable hardship upon creditors who have already lent their mony or sold their goods under covenants or obligations of being repaid in the current mony of that Province. It is yet a greater hardship upon those who have lent their mony upon mortgages, that they should be obliged to give up that security for those bills. It is further enacted that the said bills shall be issued pursuant to the currency of mony in the last abovementioned Act; for which reasons we humbly offer that your Majesty be pleased to repeal this Act. (6) Act *for levying* £4000 (1709). This is for paying 487 men to be raised for the intended expedition to Canada, and is lyable to the same objections as the aforesaid Act (4).

There are other of the said Laws that are temporary and some of them already expired, and therefore do not require anything

1709.

farther to be done thereupon. *Recommend* for confirmation 9 other Acts of 1708. [*C.O.* 5, 1121. *pp.* 455-463.]

Nov. 29. Whitehall. **880**. Council of Trade and Plantations to the Queen. Report upon Act of Maryland, 1708, *ascertaining what damages shall be allowed upon protested bills of exchange,* whereby 10 p.c. only is allowed to be recovered for costs, damages and interest upon all protested bills, whereas the other Plantations in America do allow some 20 p.c. (as did this Province before this Act), and others not less then 15 on all such protested bills. By this Law the persons who take bills of exchange will not get common interest for their money, in case the bills be protested, for it often happens that it is 18 months or two years from the time of drawing such bills before they can be returned, and the payment demanded, which is often not to be obtained by reason of the death of the drawer or indorser; and at the best the loss by disappointments is very considerable in trade. These are hardships which the merchants here complain of besides that there is an omission in the Act relating to the time within which such protested bills are to be returned into that Province, whereby the said Act is defective in a very material part. Therefore we humbly offer that your Majesty be pleased to signify your disallowance of the said Law. [*C.O.* 5, 727. *pp.* 141, 142.]

Nov. 29. Whitehall. **881**. The Earl of Sunderland to the Council of Trade and Plantations. Col. Hunter will attend you with some proposals relating to the Palatines, on which you are to report with all possible expedition, *etc.* *Signed,* Sunderland. *Endorsed,* Recd. Read Nov. 30, 1709. $\frac{3}{4}$ *p.* [*C.O.* 5, 1049. *No.* 137; *and* 5, 1121. *p.* 464.]

Nov. 30. London. **882**. Col. Hunter to the Council of Trade and Plantations. *Proposals* relating to the settlement of 3000 Palatines in New York. Kenebec River in the northern part of New England is beyond all dispute the most proper place for that purpose, *etc.* *Set out,* N.Y. Col. Docs. V. *p.* 112. *q.v.* *Signed,* Ro. Hunter. *Endorsed,* Recd. Read Nov. 30, 1709. 2½ *pp.* [*C.O.* 5, 1049. *No.* 138; *and* 5, 1121. *pp.* 465-469.]

Nov. 30. Whitehall. **883**. Council of Trade and Plantations to the Queen. *Representation* upon an Act of Virginia *for establishing ports and towns.* *Recapitulate* the occasion of it. *See* C.S.P. March 170$\frac{4}{5}$ *ff.* In pursuance of Instructions sent to Governor Nott, this Act was passed in Virginia 1706, which extends much further than was intended by your Majesty's foresaid Instructions, for it is thereby enacted that each place therein mentioned for ports be established into a township or free burgh; that they have a market at least twice a week and a fair once a year; that the same shall have a merchant guild and community, with all customs and liberties belonging to a free burgh, *etc.* that all the inhabitants of the said ports shall be acquitted

1709.

of ¾ths of the duties that all other persons shall be obliged to unless otherwise directed by the Acts imposing them; that they shall be acquit for 15 years from Dec. 20, 1708 from all levies to be raised by poll in tobacco, except parish levies where there are Churches or where Churches shall be built; that no dead provision either of flesh or fish shall be sold within 5 miles of any of the said ports or towns, but within the limits of the said town, upon pain of forfeiture of the said provisions by the purchaser, and of the purchase mony by the vendor.

We shall forbear to trouble your Majesty with any further particulars, the whole Act being designed to incourage, by great priviledges, the settling in townships, and such settlement will incourage their going on with the woollen and other manufactures there, we having for some years past received repeated advices from thence, that by reason of the low price of tobacco, they had fallen upon the making those manufactures, tho' we have from time to time writ to your Majesty's Cheif Governor of that Colony, to discourage and prevent their doing thereof as much as possibly he could. Wherefore should this Act be confirmed, the establishment of towns and incorporating of the planters as intended thereby, will put them upon further improvements of the said manufactures, and take them off from the planting of tobacco, which would be of very ill consequence, not only in respect to the exports of our woollen and other goods, and consequently to the dependance this Colony ought to have on this Kingdom, but likewise in respect to the importation of tobacco hither for the home and foreign consumption; besides a further prejudice in relation to our shipping and navigation. Upon the whole matter, having had the opinion of the Commissioners of your Majesty's Customs, who concur with us in these particulars; and in regard (as we have been informed) that nothing has yet been done in Virginia towards the settlement of such ports; we humbly offer that your Majesty be pleased to signify your disallowance and disapprobation of the said Act. In pursuance of your Majesty's Instruction to the Governor of Maryland, 3 Acts have been passed there *for advancement of trade and erecting ports and towns*, 1706—1708, against which there are the like objections as to the forementioned Virginia Law, and therefore in consideration (as we have been informed) that there has been hitherto very little done in pursuance of the said Acts, we humbly offer, in case your Majesty shall think fit to repeal the Virginia Act, that these Acts be repealed also. [*C.O.* 5, 1362. *pp.* 438-442.]

Nov. 30.
Whitehall.

884. Mr. Popple to the Commissioners for stating the arrear due from King William. *Reply to Nov.* 28. The Earl of Stamford informs me that, H.M. was pleased to direct that the arrears due to his Lordship from King William for his place of Commissioner of Trade and Plantations, should be paid him, and that he has received the same. As to Mr. Lock, he laid down his place June 27, 1700, and was paid to the 24th. Mr.

1709.

Prior succeeded Mr. Lock, and his Privy Seal, Nov. 30, 1700, directs that his salary shall commence from Midsummer, 1700. [*C.O* 389, 36. *pp.* 450, 451.]

Dec. 1.

885. Col. Hunter to the Council of Trade and Plantations. Further Memorial relating to the Palatines. Set out, N.Y. Col. Docs. V. *p.* 113. *q.v.* *Signed,* Ro. Hunter. *Endorsed,* Recd. Read Dec. 1, 1709. 2½ *pp.* [*C.O.* 5, 1049. *No.* 139; *and* 5, 1121. *pp.* 469-471.]

Dec. 1.
Whitehall.

886. Mr. Popple to Richard Savage. Desires an Account of Naval Stores imported Christmas 1707—1708, specifying how many of those imported from the Plantations have had the allowance of the premium. [*C.O.* 389, 21. *p.* 1.]

Dec. 2.
Admty. Office.

887. Mr. Burchett to Mr. Popple. Encloses a draught of the Fort which Capt. Taylor caus'd to be made at St. Johns, and other papers, *etc.* *Cf.* Nov. 18. *Signed,* J. Burchett. *Endorsed,* Recd. 3rd, Read 5th Dec. 1709. 1 *p.* [*C.O.* 194, 4. *No.* 99; *and* 195, 5. *p.* 113.]

Dec 2.

888. Col. Quary to [? *Mr. Pulteney, Lord Commr. of Trade and Plantations. Cf. Sept. 5th,* 1710.] I did myself the honour of writing to you by the men of war from New York, since which I have visited all the Southern Governmts. All things are very quiet in Virginia and so will continue till the arrival of a new Governor. No Assembly has sat since the death of Col. Not, *etc.* Maryland, which I always took to be the most quiet and easyest Government of the Maine, the freest from all factions and partys, is now by the ill conduct of the late Governour run into as great extravagancy as any of the rest. I found the Assembly setting on a prorogation, and the President and Council very inclineable to make a session of it by passing some Acts. I thought it my duty to mind them of H.M. Instruction, that in such a case as ye death of a Governr., they shou'd pass no Acts but such as were of absolute necessity *etc.* I prest this the more, knowing that there were two Acts of the greatest consequence that wholly depended on the next Sessions, the Militia Act, and the Act for all Officers' Fees, these two Acts I found that the Assembly were resolved to damn, and they had no way to effect it, but by getting some Act passt to make a session. I acquainted the Council with the design of the Assembly, and gave them all the caution I cou'd, the truth of which appeared plainly that very day, for the Assembly sent up a very triffling bill, which was all to confirm all the process and proceeding of a particular County Court, by reason the Justices of that Court were Members of ye Assembly and cou'd not attend to hold the Court: with the Bill they sent a message to the Councill requesting that the Bill might be past that very day, else it wou'd not do; this opened the eyes of the Council, and made them see the real design of the Assembly, which I so well improved, that they resolved to pass no Act or make a Session unless they cou'd have the Militia Act, and the Act for the Officers fees revived. I still prest to have the Assembly adjourn'd to such a time as they might reasonably expect the arrival of a new Governour. But I found the President and almost all the Council resolved to have a sessions, provided they cou'd secure those two Acts, and accordingly after several messages a Conference was appointed and the same day a Bill was sent to the Council for reviving those Acts; when it was read, it appear'd to be limitted to 6 months after the arrival of a new Governour, and no longer. The President and Council were very much pleased with this Bill, and some of them took occasion to say, that they cou'd not have expected so great a complyance from the Assembly, which forced me to say with some warmth, that the Bill was a very pernicious one, and ought not to be past if they had any regard to the Queen's interest, to that of the Country, to H.M. Instructions, or to their oaths as Counsellors, which I demonstrated by shewing them, that those two Acts were now secure, the Militia Act was of the greatest consequence to the country, and shou'd they give it now up, there was but very little hopes of ever getting it renewed, at least so as to answer the end. And as for the Act for the public officers' fees, if once they let it drop, they very well knew that it never wou'd be revived, but all the officers must be ruined, especially those belonging to H.M. and in her guift; the consequence of which will be not only a very high injustice to the Queen, but very injurious to the Country. I beg'd them again to consider the Queen's Instructions and their oaths, and not proceed further with the Assembly at this time, but leave things as they are till a new Governor came, since there was no necessity for passing any Act. They all seemed uneasy, and told me, that shou'd they send home this Assembly without doing business, the Country wou'd clamour at them, and be in a flame; I answer'd that no man of sence wou'd blame them for observing the Queen's Instructions. They were pleased to say that there must be an Act past to settle the levies (most of which is for paying themselves for their attendance in Assembly). I said that there was no necessity for passing such an Act now, for at worst it was but a short delay till a Governor came, that it took away no man's property, and a little delay wou'd not be of a thousand times the ill consequence as the looseing two such Acts, which I had reason to believe wou'd never be recovered again, but after all I cou'd say, I found that they were resolved to make a Sessions, and (if I mistake not) some of them as willing as the Assembly. I stay'd some time after this, to try if I cou'd alter their opinion, or do the Queen Service, but finding I cou'd not, I told them that I thought the end of H.M. appointing me one of her Council for that Province was, that I might to the utmost of my power defend her prerogative and just rights, and to give such advice as in my judgement was most for her interest and service, and that I shou'd pay all due obedience to her Royal Instructions. But finding it was not

1709.

in my power to answer any of those ends, I therefore resolved to leave them, and hasten where my duty and H.M. service called me, and leave them to answer for what they shou'd do, so took my leave and came away. And since my coming hither, I hear that they have passed several Acts. I have sent to the Clarke for a copy of all their proceedings, which I will send to your Honours by the first oppertunity. I am oblig'd to observe to your honours that all the Assemblies on the Maine are running into very great extreams; they design to have the Governors and all officers who[*lly to depend on them*]; the truth of this will appear to your Honours by the Acts lately past in the Governmt. of New York. I wish my Lord Lovelace had not given them a handle for what they did by some steps he took in the Jerseys, however I believe his Lordship saw his mistake, and had he liv'd wou'd not have passed those pernicious Acts in N. York, but the Assembly taking the advantage of my Lord's death, made use of the proper meanes to give their point by ruining all publick officers, and by issuing out the Colony money (as they call it) to whom they please, which will oblige all to depend on them. If I durst speake plain English, I cou'd shew the fatal consequence that these proceedings must be to the Queen's interest and service in all these Governments. I presume your Honble. Board will not think fit for the future to lodge a power in the Council to pass Acts of Assembly on the death or absence of the Queen's Governour. I do assure your Honours that the generality of the Councills being Gentlemen of the Country are wholly in the interest of the Assembly, and as ready to lessen the prerogative in all things as they are, and therefore it requires care in the choice of them, and those that are steady to ye Queen's interest ought to be supported and encourag'd. I cou'd mention many wrong stepps that have been taken by some Governors in their recommending to your honourable board persons fitt to be of the Council, etc. The Assembly of this Government [? *Pennsylvania*] are run into the greatest extravagancy and confusion that ever people were in; they resolve to have all the power in their hands, the appointing of all officers, and all Courts of Judicature, they pretend to a power of apprehending and imprisoning any of the Gentlemen of the Council that they please, and have actually issued out their warrants accordingly. It's im[*possible for me*] to tell the confusion that they are in; the present Lieut. [*Governor do's with*] most courage oppose them and assert the Proprietor's rig[*hts, but things are*] now come to that pass, that in the opinion of all, the Pro[*prietors must of*] necessity be forc'd to surrender this Governmt. into the Qu [*een's hands. The*] Secry. of the Province goes home in this ship on purpose [*to represent these*] matters to Mr. Penn, and to shew him the necessity of his [*resigning up the*] Governmt. I thought it my duty and for the Queen's [*service to give your*] Honours this hint. I will not trouble your Honours about the [*present unhappy*] circumstances of the Northern province occasioned by [*the disappointment*] of that noble designe against Canada,

1709.

since the Honble. [*Col. Nicholson's*] lately gone to London, who is a person the best able to [*set all those*] affairs in a true light. *Signed,* Robt. Quary. *Endorsed,* Recd. June 21st, Read July 12, 1710. *Copy. Torn.* 3 *pp.* [*C.O.* 323, 7. *No.* 1; *and* 324, 9. *pp.* 434-441.]

Dec. 2. **889**. Copy of Act of Maryland, reviving an Act *for limitation of Officers' fees,* Nov. 4, 1709. *Enclosed in preceding. Same endorsement.* 1 *p.* [*C.O.* 5, 717. *Nos.* 9, 10.]

Dec 3. Admty. Office. **890**. Mr. Burchett to Mr. Popple. Encloses further papers relating to Newfoundland (*Cf.* Dec. 2). *Signed,* J. Burchett. *Endorsed,* Recd. Read Dec. 5, 1709. 1 *p. Enclosed,*

890. i. Plan of the Fort of St. John's, referred to Dec. 5. *Endorsed,* Recd. Dec. 5, 1709. 1 *large p.*

890. ii. Mr. William Keen's Journall of the takeing of St. John's, 1709. Dec. 21, 1708, about 4 this morning wee were allarm'd by the fireing of severall musquets, and were within half an hour's time surprized to heare the Fort was taken without makeing resistance, some small time after the Fort surrendred, the Castle took ye allarme, and fired 2 guns, all the inhabitants of that side, being about 60 men, were retired to the Castle, about 7 this morning two French officers came to assure the inhabitants of good quarters, and took with them the most master inhabitants and merchants into the Fort, where I saw Major Lloyd very heavy ey'd and little notice taken of him. In entering the Fort the French lost 3 men kill'd by the inhabitants; about 5 in the evening the inhabitants and servants were imprisoned in store-houses, excepting some few that were left in their own houses, a fire hapned and burnt two streets of houses. Mr. Russell was committed to the guard in the guard-house. Mr. Will. Keen was confin'd with a guard in his own house; Capt. Larron Dennis was sent to have the Castle surrender, which was at first refused, the next day, Dec. 22, the people gave up the Castle with their cannon charg'd, the French hoisted a white flagg and fired 3 gunns, the people by this surrender was to have their cloaths and provisions and reinstated in their houses, which was not comply'd with. The 24th St. Ovide de Brouillian, Commissnr. of the French forces, sent 477 men prisoners to the Church, and the house of Mr. Collins, allowing them for their subsistance 1lb. of bread, 4oz. of pork and 4oz. of pease per diem; the prisoners were sett in ranks and counted by the Indians, who threatned, if they found any to absent themselves, they would kill as many more in their roome, the 25th the French were examining the master inhabitants and others relateing to the goods etc. that were in the harbour and took an acct. of the same, the 26th an express from St. Ovide went to Placentia

1709.

by land. The Enemy were commonly in the Fort, and did not much resort among the English untill the returne of their express, which was 19 days. The French were lookeing out for the best shalloways etc. yt. were in the Harbour, and accordingly found two which they equipt, and one cut to peeces, one of which they loaded with some of the best plunder, and put Major Loyd, Lt. Phillips, Engineer Vane and his wife with one French Officer call'd Le Chevalier de Pen, and sent them to Placentia. Jan. 8. M. St. Ovide sent an officer with proposalls of ransoming the shallops and fishing craft to the inhabitants, desireing their answer within 24 hours, and unless the people would ransome, he would send them prisoners, their women and children to Canada, affirmeing it was his Masters' intention to take possession of the country. The inhabitants desired some longer time to consider, but could have no longer time. The next day sail'd one (?) Geon. Mr. Pensance a passenger in a shalloway for France to acquaint the Court of their proceedings, after which the inhabitants were a second time assembled at the house of Mr. Benjers, where the said Larond left the people by produceing the Article St. Ovide had made, the greatest part whereof were refused by the severall alterations which were made, Laronde protesting, before 'twas night all the houses and boats in the harbour should be in flames, the inhabitants fearing their threats, some consented to the ransoming that night, and the next day it was concluded upon; the Articles wrote in French and English were sign'd by both partys; soon after return'd their express from Placentia, as also one sloop with about 40 men, and in some few days arriv'd the *Venus*, a shipp of 20 gunns and 250 men, two small sloops in order to load their plunder; some men were taken out of the shipp to keep in the Fort, severall boats were cut up for firewood, and many more burnt by the French with store-houses which were not ransom'd; a party of men were sent from this place in order to take Ferryland, commanded by Laronde, but had no success, the people resolving not to give away the Island, nor would they admit of a flagg of truce, the inhabitants cut up their boats for to hinder any landing. Upon Larond's returne, St. Ovide resolved himself to take it at the head of his men, and made as sure of it, as he did of St. John's, the people belonging to the shipps were getting the best of their goods on board their vessells, and dismounting their cannon at the Fort, and getting everything in order for their departure, the ice coming hinder'd them very much and detain'd them near a month longer then was expected, the houses in the Fort were burnt with some few necessarys in them, some few days after ye Fort was demolished, and St.

Ovide remov'd to the Castle, Mr. Lartice, one of his officers, was there blown up with powder, St. Ovide and severall others had escaped the danger, there being in the next roome near 20 quintalls of powder, in order to blow up the Castle and demolish it, which had like to have taken fire. March 27 St. Ovide sent for some of the principall inhabitants, and told them they must prepare to go with them to Placentia, to give his Master an account of what he had done to the inhabitants here, and he promised upon his word and honour, he would returne them in 15 or 20 days at farthest, and took on board, Mr. Richd. Cole, Mr. Allin Southmayd, Mr. Wm. Keen, Mr. Thomas Russell, and Mr. Wm. Nicholls, and sail'd out of St. John's, the wind not being faire, put back into the harbour, and took on board Mr. Colins, and Wm. Squarry, and carried to Placentia. Aprill 5th the *Venus* and sloop were before Ferryland. The English prisoners on board the *Venus* remain'd on board two days after her arrivall, the third day sent for before the Governour, severall questions were ask'd relateing to the treatment of the English by St. Ovide, after examination were sent to separate houses, to live upon their own expences; when the time was expired that St. Ovide had given his word and honour for the return of the prisoners, he was ask'd leave by the prisoners to be sent home, his answer was, tarry patiently four days, and you shall be sent away, after that four days, four days more; untill the Governor assembled together 3 of his officers, and made us sign to ratify and confirme ye ransomes, with his promise that the prisoners then in his custody should be sent to St. Johns in a little time. May 1st consultations was call'd relateing to the English prisoners, and it was concluded as we heard, that all the prisoners belonging to St. Johns of H.M. garrison should be sent to Canada. The 10th a messenger from the Grand Seigneur to order on board the *Venus* Messrs. Russell, Keen, Southmayd, Cole, Collins, Squarry, Digor Heart, Jno. Gross, Rich. Bowden, and Jno. Elliot, there to be kept close prisoners, and not permitted to speake to any person whatsoever nor to have the liberty to walk the deck without a centinell. The 13th sail'd a small shipp and one sloop with the English prisoners on board for Canada, among whom was Mr. Loyd and Mr. Phillips; we were detain'd on board close prisoners untill May 18, and had nothing allow'd us for our subsistance, and had only liberty for one day to go ashoare to buy our provisions; the 18th the Governor sent for the English prisoners on shoare, and told them he had a design to enlarge our liberty upon giveing our word and honour that we would not depart without leave, which we gave him, and were return'd to the Great Beach, excepting

1709.

four that were sent to the Redoubt prisoners; some few days after was sent to St. John's one La Valleere with one French and two Indians, by whome the Governor gave leave and liberty to write to St. John's, upon delivering the letter with his perusall, and promised the prisoners that in a few days they should be set at liberty, the 26th arriv'd the *Fiddell* man of warr from France, 54 gunns, in which came over 200 soldiers, which were design'd for the reinforceing St. John's Forts, expecting the French had not quitted it, the Gentl. that was sent by St. Ovide with an express to Court, return'd in the *Fidell*, and St. Ovide recd. news of his being created Knight of the Military Order of St. Lewis, and Governour of St. John's. June 2nd arriv'd the *Galliard* from Port Lewis, belonging to ye King and hired by merchants, 200 men, who was design'd to cruise on the coast of New England; the 4th return'd La Valleer from St. Johns and inform'd the Governour that if our fleet was not arrived, that there were two galleys that arrived off, to discover the arrivall of our Fleet, that the said galleys had been at Bay of Bulls for intelligence, to direct our forces, that were expected there. Wee imbarqu'd in a small ketch bought by the prisoners with the Grand Snr's. leave, for St. John's and arriv'd June 26; at my departure thence were arriv'd 43 sail of shipps, twelve from 10 to 20 guns each, their Fort is very much out of repaire, and a great number of men daily imploy'd at work in repaire of the same. They have double palisado'd the western-side of the same, and mounted severall gunns against the entrance. The Fort is only built with pallisadoes, and fill'd up with dirt, without any manner of ditch. The Fort has in it mounted upwards of 40 gunns: the Redoubt upon the Hill, which looks down into the Fort hath now in it about 16 gunns, which were cary'd from St. Johns, the Redoubt palisado'd round, and some small coverts built with palisadoes for the defence of their passage to the water, at the foot of the Hill on the larboard side, comeing in upon entrance, is a small battery of 10 gunns, and about a quarter of a mile from that lyes another small [*?battery*] of 6 guns, all their force lying on the larboard side aforesaid, at the narrow entrance of the Harbour is now fix'd two small chains and a new cable, the chains link about 4 inches diameter layd slanting by reason of the prodigious current. *Endorsed*, Recd. Read Dec. 5, 1709. $3\frac{1}{2}$ *pp.*

890. iii. Copy of the proposals of the inhabitants of the English part of Newfoundland for ransoming their goods. We inhabitants of St. Johns, Petty Harbour, Bay Bulls, Quidividi, Tar Bay, Portugal Cove and Parlican, have this day desired and do humbly desire Monsr. de Ovide de Bruillan, King's Lieutenant at Placentia and

Commander in Chief of the Fort of St. Johns, and the Harbours abovementioned, to grant us the liberty (if it be his good pleasure) to ransom and buy our goods as they are specify'd in the 9 following articles. (1) We promise and engage one for the other to pay to M. St. Ovide de Brouillian 100 quintals of fish for each shallop, and 50 quintals for each half shallop (wch. shall be sent a fishing by said inhabitants) of the first fish that shall be cured, and in case the English or other nation take this Port, or that it be abandon'd by the French, we promise to pay to the said St. Ovide de Brouillan, or to his order in London, £70 sterl. per boat, in good bills of exchange, for performance of which we have deliver'd you 3 ransomers until perfect payment of said ransom, which shall be in Aug., Sept. or Oct. next. (2) That our houses situated in the harbours above-named may be preserved in the same estate as they are at this day, with all our cloaths, and the cloaths of our families. (3) There must be no manner of damage done to our stages, flakes, shallops and other utensils of the fishery that we have actually in possession. (4) M. de St. Ovide is only to furnish us with 20 hhds. of salt for each ransom'd shallop, and 10 to each half shallop. (5) That no waste or damage be done by the French to the victuals that we have in our houses for the subsistence of our families. (6) After we have began the Fishery, there shall be no manner of hindrance, but all shallops suffer'd to go to sea, as heretofore. (7) If anything be taken from an inhabitant, or any spoil made by the French, contrary to the above articles, the same shall be returned or the value, and the offender punished as M. de St. Ovide shall judge proper. (8) We promise upon our word and honour not to commit any acts of hostility against the French, but to live as neuters, until our ransom be comply'd with and paid. (9) If after said time the French dwell masters and peaceable possessors of this port and harbours above-named, then we shall have free liberty to buy or ransom some small vessels sufficient to transport us to New or Old England, with our effects, after our ransom be paid and acquitted. And if any inhabitants have a mind to reside in the land, they shall have free liberty, and their houses and effects shall be defended. St. Johns, Newfoundland, Feb. 2, 170$\frac{8}{9}$. *Signed, St. Johns,* owners of shallops, John Marshall, Gilbert Jane, James Fuss, Thomas Greeny, William Roberts, ($1\frac{1}{2}$), Giles Goree, Richard Goodbed, Nehemiah Hore, John Studley, Edward Sheppard, John Martin, Bartho. Webber, Samuel Nick, Richard Miller, John Tucker, Henry Jeffry, Rupert Harris, Pancras Collin, John Drew. *Petty Harbour*:—Thomas Ford (2), Richard Colesworthy ($1\frac{1}{2}$),

1709.

John Lee (1½), Elias Cunditt (2), John Stripling, Richard Willson, Nicholas Langley, William Langmayd, John Chasse, Edward Hill, Adam Shiliver, John Wakem, Andrew Holman, John Marshall. *Bay of Bulls*:—William Hancock, William Squarry (2), Joseph Knill (½), Edward Weeks, William Bole, John Chasse, Samuel Hendly, William Woodmason, John Campion, Samuel Windsor, John Rex (2), Nicholas Cunnitt, John Wallis, John Mitchell, Sarah Short. *Quidividi*:—John Elliott, William Nicholls and Richard Tapley (3), Robert Sellman, Gregory Cole, William Bargus (2), Richard Bawden, Rowland Martin, Thomas Roberts, Thomas Carter, George Laudly, Thomas Johnson (1½). *Tar Bay and Portugal Cove*:—John Cock (2), Philip Stuckey, Abraham Barrett, Alexander Green. *Same endorsement.* 1 *large p.*

890. iv. Copy of the Ratification of the Articles made with M. de St. Ovide. This day, May 6, 1709, at Placentia, at the Government House before Mons. de Costebelle, Governor, *etc.*, Alyn Southmayd, Thomas Russell, Wm. Keen, Richard Colesworthy, John Collin, Wm. Nicholls, William Squarry, English merchants residing at St. Johns, declare that there has been nothing done contrary to the Laws of war, and have done nothing in all the articles by them made with M. de St. Ovide, wch. are not accomplished and ratifyed, before us the Governor confirming the said articles of St. Johns, for the accomplishing of which we have detained and do retain for hostages Thomas Greeny, Richard Page and William Nicholls, until intire payment of the summs in the general covenant made between the said inhabitants of the harbours of St. Johns Quidividi, and Petty Harbour, etc., the which are obliged equally one for the other; *etc. Signed,* De Costebelle. *Same endorsement.* 1 *p.*

890. v. Observations made by Mr. Allen Southmayd and Jno. Collin in Placentia, June 1709. Description of the Fort, Castle, Batteries *etc. Cf. No.* ii. They have now 50 men constantly in the Castle, and upon an allarme M. St. Ovide takes his place there; the Castle itself is scarce large enough to hold 150 men when they come to a reall engagement. The 6 brass gunns from St. Johns are mounted here, and all the choicest of their cannon, esteeming that place their only security, it being impossible for the Fort or any part of the harbour to hold out one hour after the takeing this castle. . . . When we came from Placentia there was 43 sail of shipps with one man of warr of 56 gunns, and 6 or 8 shipps that mounted from 14 to 26 gunns, the rest being generally large fly-boats but without force. They reckon there is belonging to the shipps about 3000 men, including those that fish at Cape St. Maries and

1709.

other places, which wee judge to be near 1000. The soldiers in Fort and Castle 350, and the inhabitants in and about Placentia 700, very few shipps more was expected, when wee came from Placentia (June 15); the inhabitants and officers of the garrison have plenty of mony there, haveing severall shipps from the South Sea been lately there, which have left large quantitys behind them. Abundance of plate they also have, there being lodg'd most of the plunder taken on the English coast of Newfoundland both this and the last warr; the inhabitants are very fearfull of looseing the place, wee haveing heard them provideing provisions and other necessarys to carry in the woods with them, in case they should be attacqu'd this summer. They have advice every other day from Cape St. Maries per land, where they keep a watch to discover what shipps enter the Bay, and upon the discovery of a Fleet, they have a beacon which they fire at point de Vert, on sight of which all the fishing boats are to repaire to Placentia. From thence they send to St. John's or any other English harbour, and in 8 days returne againe, there hath been severall times people carry'd from St. John's and other places in Newfoundland to Placentia and made servants, and thereby engage them so much to their interest that at this time there is not less then 40 or 50 English and Irish that have declared themselves subjects to the King of France, and have severall times taken up arms against the English. *Same endorsement.* 3 *large pp.*

890. vi. Mr. Digori Hearl's description of the Castle and Fort of Placentia, 1709. *Same endorsement.* 1 *p.*

890. vii. A. Holdworth and H. Hayman to Capt. John Shales, Commander of H.M.S. *Rye* and Cheif of the Newfoundland Convoy. St. Johns, July 5, 1709. *Refer to their ransom, ut supra. Continue*:—We have great reason to fear the trade of this harbour being in all about 15 sayle ships, may be in great hazard of the enemy, unless are strengthned with more force, having no manner of batterries ashoar, neither can we adventure to land any gunns, least should prove to our prejudice by the enemy pointing them against ourselves. We offer that Fort William may be in a little repaired, so as that the inhabitants may for the winter there retire and build their houses, otherwise they must lye wholly exposed to the enemy, *etc. Signed,* Arthr. Holdworth, Admll., Hen. Hayman, Vice-Admll. *Same endorsement. Copy.* 2 *pp.*

890. viii. Amount of Stores supplied from H.M. ships in Newfoundland by order of Capt. Joseph Taylor, 1709. *Signed,* Jos. Taylor. *Same endorsement.* 3¼ *pp.*

890. ix. Major Lloyd to Capt. Henry Pearden, Hayman, Moxom, Bronsuns, or Paence. May 9, 1709. I cannot

1709.

write you half as much as you will hear at St. Johns. I was surprized that is the worst that in justice can be said of me, and that is too much. I referr you to some matters of triffles to a letter to Mr. Short, and in general to what you always practised, to hear, see, and judge deliberately. They are vertues uncommon, therefore of the greater value when found. It is without dispute, your experience of the world knows, that common vogue changes of men, according to the fate of actions, but with men of justice and sence it will be allowed otherwise, the fate of now being in the hands not of men, to deside. Had — stood neuter, I should not have lost St. Johns. I would writ more but it signifies nothing at this distance. I know not who of our friends are with you, *etc. Signed,* Thomas Loyd. *Copy.* 1¼ *pp.* [*C.O.* 194, 4. *Nos.* 100, 100.i.-ix.; *and* (*without enclosures*) 195, 5. *p.* 114.]

Dec. 5. Whitehall. **891.** Council of Trade and Plantations to the Earl of Sunderland. *Enclose following*:—

891. i. Council of Trade and Plantations to the Queen. *Recommend* Col. Hunter's proposals for settling 3000 Palatines at New York and employing them in the production of Naval Stores. *Set out,* N.Y. Col. Doc. V. 117; *and* Doc. Hist. N.Y. III., 382. *q.v.* [*C.O.* 5, 1121. *pp.* 472-487.]

Dec. 7. Barbados. **892.** [? *Governor Crowe*] to Mr. Secretary Boyle. Fifteen dayes after sailing of last packet, I had two letters from H.M. delivered me, countersigned by you: I am sorry to find that false insinuations has made so deep an impression to my prejudice. As to Gillingham's Order, it was read the very first Court that could be made, after recept thereof. *Refers to enclosure.* So that my refuseing to obey therein is as far from truth as my inclinations to disobey what H.M. is pleased to command. Neither in point of time from the delivery of said Order to me (wch. was July 12th to Aug. 8th that the 2nd order was granted) was it possible to know any Resolution to be taken upon it, and you'l find by the publication of said Order, the very first Court that held, which was Aug. 12th, that there was no delay in me. I humbly begg that H.M. may be informed thereof, and I doubt not but to make all the other accusations against me appear in the like stamp. Judge Downes has been acquainted with his dismission, and I shall take care to appoint another before the Courts sitts. I cannot but observe that his removal was also ordered upon bare suggestion without so much as a hearing; 'tis a very difficult thing to find men of probity here for such posts, and far more for assistants, who have no sallary or any manner of advantage for their trouble and expence of attendance. *No signature or endorsement.* 1 *p. Enclosed,*

1709.

892 i. Certificate by Governor Crowe that the following are true copies. 1 *p.*

892. ii. (a) Memorandum upon July 12, 1709, H.E. attended in Council but owing to the absence of George Lillington, through indisposition, and Mr. John Hallett being obliged to leave through illness, was unable to make a Council, and therefore the Council and Court of Chancery were adjourned untill the day in course. *Signed,* A. Skene. Council Chamber, att Pilgrim.

(b) Deposition of Thos. Hide, Depty. Register of the Court of Chancery, that upon Aug. 12, he did by order of H.E. publish in open Court H.M. Order in Council March 31, 1709. (*quoted*). 3 *pp.*

892. iii. Joint Letter from the most considerable Proprietors of Barbadoes, to Col. Richard Scot, Col. Robert Stewart, Richard Bate, Patrick Mein and Thomas Fullerton, and other friends in England having estates or interests in the said Island. We intreat you to concern yourselves in the petition we have signed to the House of Commons representing that, unless the trade to Africa be carried on by a Company of a sufficient Joint-Stock, we shall not have a sufficient number of slaves imported here, or at such rates as we may be able to purchase them, even in time of peace. By which misfortune, we shall not be in a condition to support our Plantations. The late high prices for negroes has risen from no other cause but the liberty given to separate traders, *etc.* 77 *signatures. Printed.* 1 *p.* [*C.O.* 28, 43. *Nos.* 36, 36.i.-iii.]

[Dec. 7.] **893.** Receipt for Order in Council, Feb. 27, 1708, concerning Mr. Mackasgell. *Signed,* A. Skene, Secretary, May 19, 1709. *Endorsed,* Recd. (*from* Col. Stewart), Read Dec. 7, 1709. ½ *p.* [*C.O.* 28, 13. *No.* 2.]

Dec. 8. Whitehall. **894.** Mr. Popple to Mr. Burchet. Returns Newfoundland papers (Dec. 2 and 3) with request to be allowed to keep certain duplicates. [*C.O.* 195, 5. *p.* 116.]

Dec. 9. Whitehall. **895.** Council of Trade and Plantations to Governor Crowe. *Acknowledge* letters of June 20, Aug. 9 and Sept. 2. We are glad to perceive you have got so good a stock of powder. We will not doubt of your care that it be not imbezeled. We shall expect the accounts of the Revenue so soon as they are stated. We have consider'd what you write in relation to the complaints of William Bushel, which at present appears to us satisfactory. If anything further be moved therein, we shall have recourse to your letter. *Enclose* Orders in Council Nov. 18. You are to take care for the future that no countenance be given by you or the Council to the Assembly's pretended right of appointing Agents, exclusive of the Governor and Council. We find by the Minutes of Council, May 12 last, that £500 was given for furnishing your cellers, and that the same has been done several times before. This we look upon as a direct breach of your Instructions forbidding you to receive any presents whatsoever, and tho' when it was done upon your first arrival, no notice was taken of it, you ought not to have accepted of it afterwards, H.M. Instructions being very express in that matter. As to what you write in relation to the 2 Captains of H.M. ships of war, if that matter be referred to us, we shall report the same to H.M., as it shall appear upon examination. [*C.O.* 29, 12. *pp.* 63, 64.]

Dec. 10. Whitehall. **896**. Mr. Popple to Mr. Savage. Desires to know whether the Commissioners of the Customs have anything under consideration in relation to Mr. Bridger, Surveyor General of H.M. Woods in America. [*C.O.* 5, 913. *pp.* 127, 128.]

Dec. 10. Whitehall. **897**. The Earl of Sunderland to the Council of Trade and Plantations. The Queen having thought fit to appoint the Right Honble. George, Earl of Orkeney, to be Governor of Virginia, I give you notice of it, that you may prepare a Commission and Instructions for his Lordship as usual. *Signed*, Sunderland. *Endorsed*, Recd. Read Dec. 14, 1709. 1 *p.* [*C.O.* 5, 1316. *No.* 40; *and* 5, 1363. *p.* 1.]

Dec. 12. Custom-house, London. **898**. Mr. Savage to Mr. Popple. *Reply to* Dec. 1. The Commissioners of the Customs have no particular acct. of the præmiums. You are referred to the Commissioners of the Navy. *etc.* *Signed*, Richd. Savage. *Endorsed*, Recd. Read Dec. 13, 1709. ¾ *p.* [*C.O.* 388, 12. *No.* 62; *and* 389, 21. *p.* 3.]

Dec. 12. Custom-house, London. **899**. Mr. Savage to Mr. Popple. Replies in the negative to Dec. 10. The Commissioners of the Customs have not properly any cognizance of that office. *Signed*, Richd. Savage. *Endorsed*, Recd. Read 13th Dec. 1709. *Addressed*. ½ *p.* [*C.O.* 5, 865. *No.* 35; *and* 5, 913. *p.* 152.]

Dec. 13. Whitehall. **900**. Council of Trade and Plantations to the Earl of Sunderland. Enclose extract from Governor Handasyd's letter, Oct. 20, relating to pirates. [*C.O.* 138, 13. *p.* 77.]

Dec. 15. St. James's. **901**. Order of Queen in Council. Repealing Acts of New York *for regulating fees*; *for relieving the Colony from divers irregularities*; and *for enabling the City of New York to raise* £600, *etc.* (*Cf.* Nov. 29). The Acts *for levying* £6000; *and* £4000; and *for bills of credit for* £5000; are to be further considered. *Signed*, Chris. Musgrave. *Endorsed*, Recd. Read Dec. 22, 1709. 2½ *pp.* [*C.O.* 5, 1049. *No.* 142; *and* 5, 1121. *pp.* 493-496.]

Dec. 15. St. James's. **902**. Order of Queen in Council. Confirming 9 Acts of New York, 1708, 1709. *Signed*, Chris. Musgrave. *Endorsed*, Recd. 9th, Read 12th Jan. $170\frac{9}{10}$. 2½ *pp.* [*C.O.* 5, 1049. *No.* 154; *and* 5, 1122. *pp.* 146-149.]

1709.
Dec. 15.
St. James's.

903. Order of Queen in Council. The Council of Trade and Plantations are to prepare a clause to be inserted in the Instructions of the Governor of New York, directing him to reconsider the Officers' Fees (*cf.* Nov. 29), and with ye advice of the Council to prepare a new bill if need be. *Signed,* Chris. Musgrave. *Endorsed,* Recd. Read Dec. 22, 1709. 1 *p.* [*C.O.* 5, 1049. *No.* 143; *and* 5, 1121. *pp.* 496, 497.]

Dec. 15.
St. James's.

904. Order of Queen in Council. Repealing 3 Acts of Maryland, *for erecting ports and towns etc.* 1706-8. *Signed,* Chris. Musgrave. *Endorsed,* Recd. 9th, Read 12th Jan., 170$\frac{9}{10}$. 2 *pp.* [*C.O.* 5, 717. *No.* 2; *and* 5, 727. *pp.* 161, 162.]

Dec. 15.
St. James's.

905. Order of Queen in Council. Repealing Act of Maryland for *ascertaining damages upon protested bills of exchange* (Nov. 29). *Signed and endorsed as preceding.* 1½ *pp.* [*C.O.* 5, 717. *No* 3; *and* 5, 727. *pp.* 162, 163.]

Dec. 15.
St. James's.

906. Order of Queen in Council. Repealing Act of Virginia *for establishing ports and towns. Signed and endorsed as preceding.* 1½ *pp.* [*C.O.* 5, 1316. *No.* 42; *and* 5, 1363. *pp.* 37, 38.]

Dec. 15.
St. James's.

907. Order of Queen in Council. Referring following to the Council of Trade and Plantations for their report. *Signed,* Chris. Musgrave. *Endorsed,* Recd. Dec. 17, Read Jan. 4, 170$\frac{9}{10}$. 1 *p.* *Enclosed,*

907. i George Gordon to the Queen. Richd. Downes, Judge of the Precincts of St. Michael, Barbados, refuses to admit Petitioner's Deputy Marshal in manifest contempt of H.M. Instructions June 9 and 18, 1709. *Prays* for relief *etc.* 1¾ *pp.* [*C.O.* 28, 13. *Nos.* 6, 6.i.; *and* 29, 12. *pp.* 66, 67.]

[Dec. 15.]

908. Reasons for reducing the Pyrates at Madagascar, and proposals humbly offered to the House of Commons for effecting the same. (*See following.*)

Certain Pyrates having found the Island of Madagascar to be the most proper if not the only place in the world for their abode, and carrying on their destructive trade with security *etc.*, and being since increased to a formidable body are become a manifest obstruction to trade, and scandal to our nation and religion, being most of them English, at least ⅘ths. Upon a General Peace, when multitudes of soldiers and seamen will want employment, or by length of time and the pyrates generating with the women of the country, their numbers should be increased, they may form themselves into a settlement of robbers, as prejudicial to trade as any on the coast of Affrica. It seems morally impossible to reduce them by force, for the pyrates have, by their liberality in bestowing part of their booties on the inhabitants, so gain'd their love and esteem that, should any superior force be sent to reduce them, they might readily march up far into the country and be safe. Fair means is the only way to reclaim them; and in order to it endeavours of that nature have been used, but so ill managed that several of the pyrates who relied upon promises (and even Proclamations) and thereupon surrender'd themselves, having lost some their lives, all their effects, and been treated in a most inhumane manner, it is not to be expected the rest should come in without more ample security for the safety both of their lives and treasure, but have declared they are still willing to come in, on condition they were rendered secure to their satisfaction. And though their treasure has been all got by robbery, yet since it can never be restored to the owners, having been taken (mostly, if not wholly) from the subjects of the Great Mogull, etc., and now lies buried or useless in or near Madagascar, it's much better they should be permitted to bring it to England with safety, where it may do good, *etc.*, and the pyrates be reclaimed and become bold and skilful mariners and subjects of H.M. *etc.* *Proposes* that a person of considerable quality, well known to them, be sent with a pardon and conditions of surrender; and escort them to England with a squadron of 4 or 5 H.M ships. *etc.* *Printed.* 3¾ *pp.*

908. i. Marquis of Carmarthen to the Queen. Upon [*preceding*] memorial presented by petitioner, the House of Commons resolved that an humble address be presented to H.M., that she will be gratiously pleas'd to take into her royal consideration how the pirates at Madagascar may be suppressed. *Petitioner* further proposes that this expedition should capture Mombasa, Patta, etc. from the Arabians of Muscat, and that he should command it. *Signed,* Carmarthen. 3¼ *pp.*

908. ii. Deposition of Laurence Waldron, barber-chyrurgeon. In 1700, he shipped from Carolina with Capt. John Breholt, on the *Carlisle* who with the rest of his officers then declared his intention to go to Madagascar a pyrating. The crew getting drunk at the Island of Fiall discovered the Captain's intention, and were arrested, but the rest of the crew cut cables and escaping the guns of the Fort sailed away to Africa and amassed good treasure by piracy at Madagascar. The captain and his men were kept several months in the Castle at Fiall, and thence removed to Lisbon, and after a year's imprisonment, no act of piracy being proved against them, they were discharg'd and so came for England. There the Captain visited Peter Dearlove, a shipwright, one of the company that went away with the ship from Fiall, who was in the Marshalsea prison for pyracy. Dearlove fram'd a pretence that he knew of a rich wreck of a ship called the *Bon Jesus,* in the West Indies, by which stratagem he drew in the Lord Fairfax to support him and gett him bayl'd out of prison,

and afterwards put his Lordship to great charges to provide shipping to go and take up such pretended wreck; and after some time he clandestinely left his Lordship and conceal'd himself from him; and then confederating with one Haskett (Coll. Haskett), the said Breholt, and one Freame, a ship-builder, did by meanes of Haskett and Freame, draw in the Lord Rivers and several other gentlemen to the expence of many thousand pounds in providing and equipping ships for going upon such pretended wreck, matters being so concerted that Haskett was to go Commander in Chief of the said ships, and Dearlove the pilot. But Breholt only acted behind the curtain, that his ill charectar might not defeat their reall design, which was to get out to sea and then to carry the said ships to Madagascar, upon a Scotch pardon for the pyrats there, that Breholt pretended to have gott. But when they were almost ready to sail, a certain person who knew their villanous intention, discovered the same to the owners of the ships, who turning out Haskett, Dearlove ran away from them likewise, and went with Breholt for Scotland, and have been for some years endeavouring there to get out with ships, but failing thereof, are returned into England, and prosecuting such their design here, in order to get to their old friends and ship's company at Madagascar. May 17, 1709. *Signed,* Lawr. Waldron. 1 *p.* (For *Breholt cf.* C.S.P. 1699, 880.ii., 807; *and* 1700. 523.xv.LIV. etc.)

908. iii. Depositions of Lawrence Waldron and John Clough as to Capt. Breholt's piratical character. June 16, 1709. *Signed,* Lawr. Waldron, Jno. Clough. ¾ *p.*

908. iv. Deposition of Elizabeth Woodstock, Barbara Ramsey and Ann Rupert, as to Capt. Breholt's proposals for going to Madagascar with the Queen's pardon for pirates *etc. Signed,* Elizabeth Woodstock (*mark*), Barbara Ramsey, Ann Rupert. June 16, 1709. 1 *p.*

908. v. Deposition of Penelope Aubin, wife of Capt. Abraham Aubin, in support of *Nos.* iii. and iv. *supra.* June 20, 1709. *Signed,* Penelope Aubin. ¾ *p.*

908. vi. Reasons humbly offered by Peregrine, Marquis of Carmarthen, to shew that it is most consistent with H.M. honor and interest and the true intent and design of the honbl. House of Commons in their late humble address to H.M. on that subject, for H.M. to endeavour the suppressing or reclaiming the pirates at Madagascar by her own imediate power and authority, to be executed by her own officers and ships, and not to entrust that power to the East India Company or any private person. Breholt is the contriver of such overtures, etc. *Signed,* Carmarthen. 1¾ *pp. The whole endorsed,* Recd. Read Dec. 15, 1709. [*C.O.* 323, 6. *Nos.* 91, 91.i.-vi.]

1709.
Dec. 15.
St. James's.

909. Order of Queen in Council. Referring following to the Council of Trade and Plantations for their report. *Signed*, Chris. Musgrave. *Endorsed*, Recd. 17th Dec., Read Jan. 13, $170\frac{9}{10}$. 1½ *pp. Enclosed*,

Martinico to the Queen. A French sloop, the *Society*, laden with wine etc. for Guadalupa, and belonging to Gaschet was prest by M. Demaschault, Governor of the French Leeward Islands, without time to unload, to go with the English prisoners as a flag of truce to Guadalupa, there to take in one Major Lapoterie, appointed to manage the exchange of the said prisoners, and thence to proceed with them to Antegua. The said French flagg of truce, being near Guadalupa, came in sight of H.M.S. *Hector*, Capt. Grey, whereupon the prisoners on board forced the master to change his course so that she was taken and carried into Antegua, where she was cleared but the goods condemned. Afterwards the sloop *St. John Baptist*, belonging to Pouch, loaden with merchandizes for Montserrat was in like manner prest by order of Governor Park to go as a flag of truce with French prisoners to Martinico, without time to unload her cargoe, and in her voyage was plundered by a French privateer, whereupon M. Demaschault caused restitution to be made of all that was plundered except so much as amounted to an equivalent for the goods taken on board the *Society*, which he detained by way of reprizall. If such violence be permitted on either side contrary to the Laws of Nations, it will soon break the cartell in those parts. *Pray* that restitution be made to Gaschet, who will then procure recompense for Pouch. *Copy*. 3 *pp*. [*C.O.* 152, 9. *Nos.* 1, 1.i.; *and* 153, 10. *pp.* 446-451.]

Dec. 15.

910. Order of the House of Commons. That the Commissioners of Trade do lay before this House what further observations they have made relating to the trade to Africa. *Signed*, Paul Jodrell, Cler. D. Com. *Endorsed*, Recd. 15th, Read 16th Dec. 1709. ¾ *p*. [*C.O.* 388, 12. *No.* 64; *and* 389, 21. *p.* 7.]

Dec. 16.
Whitehall.

911. The Earl of Sunderland to the Council of Trade and Plantations. *Encloses following papers relating to Newfoundland. Signed*, Sunderland. *Endorsed*, Recd. 17th, Read 21st Dec., 1709. ¾ *p. Enclosed*,

911. i. *Duplicate of No.* 859.i.
911. ii. *Duplicate of No.* 890.ii.
911. iii. *Duplicate of No.* 859.ii.(a).
911. iv. *Duplicate of No.* 859.ii.(b).
911. v. *Duplicate of No.* 859.iii.
911. vi. *Duplicate of No.* 890.v.
911. vii. *Duplicate of No.* 890.vi.
911. viii. *Duplicate of No.* 859.iv.

911. ix. Deposition of John Collins, of St. Johns. Oct. 22, 1709. On Dec. 21, 1708, about 3 or 4 a clock in the morning, a party of French of about 160 men was discovered very near the fort by the centinell of the S.W. corner of the New Fort, who endeavoured to fire his peice, which did not go off, he then called to the centinell of the N.W. corner, who fired his peice which alarmed the place. Deponent being one of the Captains of Militia for the New Fort, went to ye place which had been appointed for his quarters, which was the Guard House of ye said Fort, where two other Companys besides his were appointed their quarters for the assistance of H.M. Garrison in the Old Fort, and to receive orders from their commanding Officer. Deponent found severall men there who wanted powder and ball, he having ordered what he had in his possession to be carryed there, with which he supplyed those that wanted as far as it would go, and then heard the firing of small arms at the N.W. corner of the New Fort, which was between our men there and the enemy. The Lieutenant of deponent going to see what was the meaning of this, was shot through the shoulder before he could return. At the same time as the firing, deponent heard Quarter cryed in the Old Fort, and presently after the French there cryed "Vive le Roy" three times, upon which Deponent and others in the Old Fort gave 3 huzzaa's, and then the Enemy immediately fired at them, and they at the enemy. Severall men on our side were kill'd and wounded. They of the New Fort called often to the Old Fort to have the Sally Port opened and the Bridge let down, but could have no answer, some of the soldiers of the Garrison got out into the New Fort, and said there was 500 French men in the Old Fort, and that they gave no quarter, upon which those of the New Fort accepted their offer of quarter on Dec. 26. Deponent heard Serjeant Steel say at Mr. Winchen's house that when the French entered the Old Fort, there was but one man besides himself on the works, and that Major Tho. Loyd came as far as the ramparts and said Fight, Boys, and went away, and he never saw him afterwards, untill the Garrison was taken half an hour after the first alarm, and that he beleived it was lost by neglect. Some time before the French came, deponent was ordered to the Old Fort to give a receipt for ammunition, which he did as he saw all the other Captains of the Militia do. It was for double ye quantity of ammunition they received, and the said receipts were to Capt. Vane. Deponent allways paid towards the Minister 3 quintalls of fish per boat; he knew it had been paid for a year or two by most of the Harbours in the land, out of which the Minister was to have an allowance, the

1709.

rest to be as a publick stock, but to what use it was converted, he knoweth not. He do not know that Major Loyd traded, but sayeth he did let out soldiers to hire every year, for that one year he had two for which he paid Major Loyd £35.

List of inhabitants killed in the New Fort:—Jno. Nicholls, Wm. Armstrong, Nich. Southard, Wm. Bickford, Wm. Johnson, Jno. Grove, Jno. Rusenell, Antho. Gifford; *wounded*, Tho. Squary, Jno. Luff, Michll. (*sic*), Robt. Bentiett, Wm. Lee, Tho. Harris, Abr. Barritt. *Copy.* 3¾ *pp.*

911. x. Deposition of Tho. Gruchy. Oct. 19, 1709. *Corroborates preceding. Signed,* Tho. Gruchy. *Copy.* 1¾ *pp.*

911. xi. Deposition of Allin Southmayd. Major Loyd hired soldiers out to the Planters including himself. The money raised by the levy of fish was paid to the Minister by him to the amount of £105 sterl. in 1707. On Dec. 20, 1708, he was in the Old Fort untill about 12 at night, and in company with Major Loyd, who was as at other times chearfull without having to appearance any apprehension of the enemy's being so near, and ordered one of the serjeants to be put in prison for not seeing the cartouch boxes fill'd. Does not beleive the Old Fort was taken by treachery of Major Loyd, but, by the report of those in it, as well as others, beleives it to be by neglect. *Signed,* A. Southmayd. *Copy.* 2 *pp.*

911. xii. Deposition of John Marshall, St. John's Harbour. Oct. 19. Corroborates No. ix. *supra*. *Signed,* John Marshall. *Endorsed,* Recd. 17, Read 21st Dec. 1709. *Copy.* 1½ *pp.*

911. xiii., xiv. Account and receipts of nails, boards, etc. furnished by order of Capt. Taylor, H.M.S. *Litchfield,* for the rebuilding of the Fort of St. Johns. *Signed,* Arthr. Holdsworth, Jos. Taylor, Jno. Shales, John Collin. Oct. 20, 1709. *Same endorsement. Copies.* 1½ *pp.*

911. xv. Copy of Commodore Taylor's Commission to John Collin to be Governor of the Fort and Harbour of St. John's and all the sea-coast between Ferryland and Carbonear. *Signed,* Jos. Taylor. Oct. 6, 1709. *Same endorsement.* 1 *p.* [*C.O.* 194, 4. *Nos.* 101, 101.i.-xv.; *and* (*without enclosures*) 195, 5. *p.* 117.]

Dec. 17.
Spanish Town.

912. Governor Handasyd to the Council of Trade and Plantations. Since my last I have none to own from your Ldships. but a duplicate of July 15th; as to the affaires here, we have been greaviously afflicted with sickness, I think more people has dyed of all sorts this year than in any year since I have been in these parts. I have recd. by the pacquet boate *Sophia* 50 recruites, they tell me I am to have 50 more by the next pacquet and yt's. all we are [*to*] expect, but in case mortallity attends us so every year, I am afraid we shall have occasion

1709.

for near as many every pacquet, I have lost within this 3 months 137 men. We have a report here of a French squadron consi[*s*]ting of 15 saile and 8 saile of St. Mallows privateers, as for my own part I am of opinion their's nothing in't, notwithstanding they write it very possatively from the Windward Islands. The French and Spanish Fleet is not yet come from Laverdecrous to the Havannah, but is hourly expected; there is one gallion and another ship at Carthagena very richly loaden with money etc., which the Spaniards say they will not trust under a French convoy, therefore is resolved they shall stay there till Peace, but as they are the weaker party, I expect, if a strong French squadron come, they will obleidge them either by foule means or fare. The marchants and others haveing requested of me for the advantage of trade, to issue out a proclamation and to grant a pardon to these Pirates at the Semblers and other places upon the Spanish Coast, which I gave you an acct. of in my last, and haveing consulted with the Councill concerning yt. matter as also the Attorney Generall, they have unanimously requested of me to issue out a Proclamation and to grant a pardon (according to H.M. Commission to me) for all misdemeaners, High Treason and wilfull murder excepted, which I have done accordingly and sent it by a vessell which has obleidged himself to deliver it to the Commander in Chief, Mishall, all which I hope will be to H.M. and your Ldships.' satisfaction, and that it will do us that service in case they will not come in, they will not be our enemys, at least they will not medle with H.M. subjects. As to the Councillers in relation to the selling and disposeing of negroes, they have all given me for answere, that they doe not sell or dispose of any but what belongs to themselves, so they look upon themselves quallifyed to sitt upon appeales. Our men of warr here is in a very bad condition by death and sickness, they can send but two of them to sea at once, and the one fifth part of their company must be soldiers; we have been very much plagued with French and Spanish privateers for this two months past about this Island. As to other news here their is none that I know of worth giveing your Ldships. the trouble of. I should be glad to receive H.M. Orders for the releife of me and my regiment, *etc. Signed,* Tho. Handasyd. *Endorsed,* Recd. 2nd, Read 16th Feb. 170$\frac{9}{10}$. 2 *pp.* [*C.O.* 137, 8. *No.* 77; *and* 138, 13. *pp.* 89-92.]

Dec. 19. Whitehall. **913.** Council of Trade and Plantations to the House of Commons. *Representation on African Trade, as ordered Dec. 15. So far as it relates to the Plantations, quotes reply of Separate Traders, Nov. 17.* "It does appear that the separate traders have sent out from the several Ports of this Kingdom about 12 ships to one despatch'd by the Company. . . . The Company have so far neglected the Trade, that had not the separate Traders carried it on . . . ., our American Plantations would have suffer'd very much for want of a competent supply of negroes to the great prejudice of the sugar and tobacco trades

1709.

(already labouring under the utmost discouragements) and consequently the Revenues arising to the Publick from those trades must have been greatly lessen'd." *etc. etc.* [*C.O.* 389, 21. *pp.* 7-16.]

Dec. 19. Whitehall. **914.** Council of Trade and Plantations to the Earl of Sunderland. *Enclose following*, and desire, in case H.M. shall think fit that a Law be passed here, as we propose, that Her pleasure be signified accordingly. *Annexed*,

914. i. Council of Trade and Plantations to the Queen. An Act having been passed here in the 3rd and 4th years of your Majesty's reign *for incouraging the importation of Naval Stores from America*, etc., we sent the same to your Majesty's several Governors there; but there being no provision in the said Act for preserving of white pines, which are the only trees proper for masts for your Majesty's Royal Navy, and great waste being frequently made of those trees, Governor Dudley, by the advice of Mr. Bridger, proposed to the Assembly of New Hampshire the passing of a Law for that purpose, which was passed accordingly, prohibiting all persons in that Province to cutt, fell or destroy any white pines or mast trees, not being the particular property of any private person, above the growth of 24 inches diameter at 12 inches from the earth under the penalty of £100 sterl. for every such tree so cutt. But upon Coll. Dudley's proposing to the Assembly of the Massachusetts Bay the passing of a like Law there, they refused to do the same, tho' it was in the words of their Charter, alledging that they wou'd not enact their Charter into a Law. Wherefore for the more effectual prevention of spoils in the woods there, and for the better preserving of trees fit for your Majesty's Royal Navy, we humbly offer that an Act be passed here for that purpose, and humbly take leave to annex the draught of such a Bill. In case the same be passed into a Law, there will then be no necessity that the forementioned New Hampshire Act be confirmed; otherwise we are humbly of opinion that your Majesty be pleased to ratify and confirm the same.

914. ii. Draught of an Act for the better preserving of Mast-trees in America. [*C.O.* 324, 9. *pp.* 415-420.]

Dec. 19. Whitehall. **915.** The Earl of Sunderland to the Council of Trade and Plantations. Col. Hunter having proposed that for preventing the Palatines he carrys with him to New York from falling off from the employment designed for them, or being decoy'd into Proprietary Governments, they may be obliged by a contract in writing to attend that work, H.M. is pleased to approve thereof, you are to advise with Mr. Attorney General about the drawing up such an instrument *etc. Signed*, Sunderland. *Endorsed*, Recd. Read Dec. 20, 1709. 1 *p.* [*C.O.* 5, 1049. *No.* 140; *and* 5, 1121. *p.* 488.]

1709
Dec. 20. **916.** Draught of a Covenant for the residence and employment of Palatines in New York. *See preceding* and Dec. 21. 3 *pp. Endorsed,* Recd. (from Col. Hunter.) Read Dec. 20, 1709. 3 *pp.* [*C.O.* 5, 1049. *No.* 141; *and* 5, 1121. *pp.* 489-492.]

Dec. 20. Whitehall. **917.** Mr. Popple to Mr. Attorney General. Encloses preceding for his opinion thereon. [*C.O.* 5, 1121. *p.* 493.]

Dec. 21. **918.** Mr. Attorney General to the Council of Trade and Plantations. Encloses, with amendments, covenant for Palatines. *v.* Dec. 19, 20. *Signed,* Jas. Mountague. *Endorsed,* Recd. Read Dec. 22, 1709. 1 *p. Enclosed,*

918. i. Draught of Covenants for Palatines' residence in New York. 5 *pp.* [*C.O.* 5, 1049. *Nos.* 144, 144.i.; *and* 5, 1121. *pp.* 498-503.]

Dec. 21. Whitehall. **919.** Council of Trade and Plantations to the Earl of Sunderland. *Enclose* letter from Council of Maryland, Aug. 21. *q.v.* From whence we presume the late Governor had not communicated to them H.M. Additional Instruction May 3, 1707, empowering the eldest Counsellor to take upon him the administration as Governor in such cases. *Recommend* that a triplicate of that Instruction be transmitted to them, to prevent any disputes that may arise amongst them, till the arrival of a new Governor. [*C.O.* 5, 727. *p.* 160.]

Dec. 22. Whitehall. **920.** Council of Trade and Plantations to the Earl of Sunderland. Enclose Commission for the Earl of Orkeney to be Lieut. and Governour General of Virginia, which is in the usual form. *Enclosed,*

920. i. The Earl of Orkney's Commission *as above.* [*C.O.* 5, 1363. *pp.* 2-26.]

Dec. 23. **921.** Draft of H.M. Instructions for Robert Hunter, Governor of New Jersey. (*Signed* Dec. 27). *Set out,* N.J. Archives, 1st ser. iv.i. *and see No.* 924.i. *Includes*:

Members of Council:—Lewis Morris, Andrew Brown, Francis Davenport, Wm. Pinhorn, Geo. Deacon, Wm. Sandford, Richd. Townley, Dan. Cox, Roger Mompesson, Peter Sonmans, Hugh Hoddy, Wm. Hall, and Robt. Quary. *Additional Instruction* relating to the heats and divisions in New Jersey:—Whereas an Address has been laid before us from several of the Members of our Council complaining of the Assembly there (Nov. 2), and likewise another Address from the Assembly in their own vindication and complaining of the Council: and whereas we have been informed that these Addresses have increased the heats and animosities between the said Council and Assembly to the great obstruction of our service in that Province, and to the disquiet of our subjects there, it is our will and pleasure that upon your arrival you examin into the reasons and causes of the said differences, and that you endeavour all you can amicably to reconcile the disagreeing parties and to compose all such differences betwixt them, and in case you shall meet with any opposition therein, that you then represent unto us by one of our Principal Secretarys and to our Commissioners of Trade and Plantations, your opinion upon the whole for our further pleasure therein. [*C.O.* 5, 995. *pp.* 34-132.]

Dec 23. **922.** Capt. Moody to the Council of Trade and Plantations. Report on Newfoundland. In July last, pursuant to H.M. commands I setled about 900 men with their families upon severall strong Islands lying to the norward and southward of St. Johns, delivering to them a share of H.M. bounty of armes, ammunition and provisions, assureing them that they might expect further marks of hir Royall favour, prevailing with them to change their resolution of quiting the country, which, as they told me, was only ocationed by the Garrisons att St. Johns being so shamefully lost, by which means the course of their trade was stopt, and their corispondence and interest quite rewend at St. Johns, together with their just feors of their own weakness and the enemies power and further designes of carrying them all away captive to Cannada to be slaves, which they threaten to doe, believing them no longer able to pay £7000 sterl. for their ransom, as they did last summer at St. Johns, and for liberty to fish their. I have not only now, but in time past used my faithfull endavers for the preservation of the people and trade of Newfoundland, and for H.M. Garrisons their, the los of which, and the manner of takeing it, I doubt not but your Lordships have been fully apprized of, as well as that all the officers and souldiers, with 48 pieces of cannon, morters, armes, ammunition and provisions, with boombs, powder ball etc., was carryed in 4 ships to Plasentia and Cannada in April, 1709, and that the Fort and Castle at St. Johns are both blown up and burnt with all the inhabitants' houses except 4 or 5, and most part of the mud wall of the Fort, which would have been too great labour to have levelled, and to litle or no purpose if they had, and which the remaining part of the inhabitants at St. Johns by the diligence of Comadore Taylor have pallasaded and retired into, and built themselves hutts with hopes to defend themselves against any stragleing or small parties for this winter, but withall assured me, before my departure from St. Johns in July, and upon my comming away from thence Nov. 8 last, as did allso the inhabitants in generall, that they were no longer then this winter able to abide in the country, unless the Goverment would build a garrison and send a suffitient force from hence to protect them and their trade and families, they haveing likewise petitioned H.M. to that purpose, and writ to your Lordships, beging that you would assist them in recommending their supplication for protection *etc.*, which petition and letter were sent by me to Boston and with one from myselfe to your Lordships, Aug. 10, in the *Dursly* gally, *etc.* *Signed,* J. Moody. *Endorsed,* Recd. Dec. 28, 1709, Read Jan. 20, 170$\frac{9}{10}$. *Holograph.* 1½ *pp.* *Enclosed,*

922. i. Capt. Moody to Governor Dudley, Col. Nicholson, Col. Vetch, and to the Honble. the Governers assembled att Rehoboth to consult of present affairs. Proposal for reduction of Plasentia. *Signed*, J. Moody. $1\frac{3}{4}$ *pp.*

922. ii. Reply to preceding. Oct. 14, 1709. Rehoboth in the Massachusetts. We do highly approve of Col. Moody's good intention, and thankfully accept the offer of his service in the projected expedition to Port Royall; but cannot under the present distresses and disappointments judge ourselves capable to do anything at Newfoundland, the support of the Inland frontiers of the Province demanding the service of all their troops, besides the hopes of a descent upon Port Royall if possible to be brought to passe this winter, etc. *Signed*, J. Dudley, G. Saltonstall, Saml. Cranston, Sam. Vetch, Fr. Nicholson. *Endorsed*, Recd. Dec. 28, 1709, Read Jan. 20, 170$\frac{9}{10}$. $\frac{1}{2}$ *p.* [*C.O.* 194, 4. *Nos.* 103, 103.i.,ii.; *and* (*without enclosures*) 195, 5. *pp.* 118-121.]

Dec. 23. Whitehall. **923.** Council of Trade and Plantations to the Earl of Sunderland. Enclose draught of Instrument to be signed by Palatines going to New York (Dec. 21). [*C.O.* 5, 1121. *p.* 504.]

Dec. 23. Whitehall. **924.** Council of Trade and Plantations to the Earl of Sunderland. Enclose following to be laid before H.M.

924. i. Council of Trade and Plantations to the Queen. We herewith present to your Majesty draughts of Instructions for Col. Hunter for the Governments of New York and New Jersey, which are to the same purpose as those given to the late Lord Lovelace. And whereas William Peartree, one of the present Council of New York, has been represented to us as a person unfit to serve your Majesty in that station, particularly in regard of his not giving due attendance at that Board, that several men who deserted your Majesty's service from on board *Lowstoft* and *Triton's prize*, are there imployed by the Mayor of New York, and by the said Peartree on board their vessells, contrary to the Act *for incouragement of the Trade to America*, and to the prejudice of your Majesty's service, we therefore humbly offer that he be left out of the said Council, and that Dr. Samuel Staats, of whom we have had a very good character, be constituted a Member in his stead; and there being a vacancy by the death of Thomas Wenham, we humbly offer that Robert Walters, of whom we have likewise had a good character, be constituted by your Majesty a Member of the said Council in his stead. We further offer that as the said Stats and Walters were formerly Members of that Council, they be now reinstated in their places according to the precedency they then had, as has usually been done in like cases. In relation to the Council of New Jersey, Lewis Morris

1709.

having been suspended by Capt. Ingoldsby by the Lt. Governor, since the death of the late Lord Lovelace, for reasons which do not appear to us sufficient, we humbly offer that he be restored to his place and precedency there, and there being two vacancies in the said Council, we humbly offer that Thomas Gordon and Thomas Gardner, who have been well recommended to us by the Proprietors here, as persons fit to serve your Majesty in that station, be constituted Members of the said Councill, that the number of twelve may be compleat. And whereas there have been great disputes and differences between the Council and Assembly of New Jersey and both have addressed to your Majesty, each against the other, and as Col. Hunter who is now going over will be the best able when upon the place to inform himself of the matters contained in the said Address, we humbly offer that he have an Instruction from your Majesty requiring him to examin into the causes and reasons of the said differences, and to endeavour all he can to compose the same; and that in case he shall meet with any obstruction therein, that then he represent the matter as it shall appear to him, to one of your Majesty's Principal Secretaries of State, and to your Commissioners for Trade and Plantations, for your Majesty's pleasure thereupon, and therefore we take leave to add hereunto the draught of an Additional Instruction for that purpose. We further take leave to lay before your Majesty the draughts of Instructions for Col. Hunter for his Governments of New York and New Jersey, relating to the Acts of Trade and Navigation which are in the usual form. And in obedience to your Majesty's Order, Dec. 15, we humbly lay before your Majesty the draught of an Additional Instruction to Col. Hunter, relating to the fees of the several officers at New York. *Annexed,*

924. i. Draught of Instructions for Col. Hunter, Governor of New York. *Cf.* those of Lord Lovelace, C.S.P. 1708. *Set out,* N.J. Archives, 1st ser. iv.i. (*These were dated* Dec. 27, 1709).

924. ii. Additional Instruction to same. You are to reconsider the Table of Fees of 1693, and to prepare another *etc. as proposed Nov.* 29, *Dec.* 15 *supra.*

924. iii. Instructions to same relating to the Acts of Trade and Navigation. [*C.O.* 5, 1122. *pp.* 1-125.]

Dec. 23. **925.** Council of Trade and Plantations to Governor Hunter. *Repeat* Instructions for the Governments of New York and New Jersey, previously given to "the late Lord Cornbury, now Earl of Clarendon." You are to enquire into the employment of deserters from H.M. ships by William Peartree and the Mayor of New York, and prosecute them *etc.* if guilty. *Set out,* N.Y. Docs. v. 154. *q.v.* [*C.O.* 5, 1122. *pp.* 126-136.]

1709.

Dec. 24. St. James's. **926.** H.M. Warrant to the Attorney or Solicitor General. You are to prepare a Bill for our Royall signature for the Earl of Orkney to be Governor of Virginia. *Countersigned,* Sunderland. [*C.O.* 5, 210. *p.* 187.]

Dec. 25. St. James's. **927.** Order of Queen in Council. Drafts of Instructions for Col. Hunter, Governor of New York and New Jersey, relating to Acts of Trade and Navigation, approved. *Cf.* Dec. 23. *Signed,* Chris. Musgrave. *Endorsed,* Recd. 9th, Read 12th Jan. 170$\frac{9}{10}$. $1\frac{1}{2}$ *pp.* [*C.O.* 5, 1049. *No.* 151; *and* 5, 1122. *pp.* 142, 143.]

Dec. 25. St. James's. **928.** Order of Queen in Council. Dr. Staats and Thomas Walters are appointed to the Council of New York in the room of William Peartree, discharged, and Thomas Wenham, decd. *Cf.* Dec. 23. *Signed and endorsed as preceding.* $2\frac{1}{2}$ *pp.* [*C.O.* 5, 1049. *No.* 152; *and* 5, 1122. *pp.* 143-145.]

Dec. 25. St. James's. **929.** Order of Queen in Council. Draft of Instructions for Col. Hunter, Governor of New York, with Additional Instruction for preparing a table of Fees to be taken by the respective officers there, approved. *Cf.* Dec. 23. *Signed and endorsed as preceding.* $1\frac{1}{2}$ *pp.* [*C.O.* 5, 1049. *No.* 153; *and* 5, 1122. *pp.* 145, 146.]

Dec. 25. St. James's. **930.** Order of Queen in Council. Restoring Lewis Morris and appointing Thomas Gordon and Thomas Gardiner to the Council of New Jersey, as recommended Dec. 23. *Signed,* Chris. Musgrave. *Endorsed,* Recd. 9th, Read 12th Jan. 170$\frac{9}{10}$. 2 *pp.* [*C.O.* 5, 970. *No.* 91; *and* 5, 995. *pp.* 133-135.]

Dec. 25. St. James's. **931.** Order of Queen in Council. Approving Representation on draft of Instructions of Governor Hunter, New Jersey, Dec. 23. *Signed and endorsed as preceding.* $1\frac{1}{4}$ *pp.* [*C.O.* 5, 970. *No.* 92; *and* 5, 995. *pp.* 135, 136.]

Dec. 27. London. **932.** J. de Kocherthal to the Council of Trade and Plantations. I have, since my arrivall at New Yorke, observed that if the planting of vineyards in the English America was once seriously undertaken, the same would be the most proffitable labour which the new-comers there could ever desire, and more advantageous to this Kingdom than the America sugar or tobacco trade. To that end I have kept correspondence with all such persons as have had the least experience in that affaire, and have actually undertaken a journey over the whole Continent. The climate and soil are suited for vine-growing, as is shown by the presence of wild vines and by trials already made. Of all the experiments which hitherto have been tryed, that of Mr. Robert Beverley upon the highlands in Virginia is the last and most remarkable, whose vineyards and wine all persons are talking of in Virginia. The President and Consuls in Williamsburgh have had this matter under their deliberation. That the experiment has hitherto not been found to answer,

1709.

is due to inexperience and want of skill. The French method of planting is altogether disagreeable with the ground and climate, whilst as to that made on the Rhinlander system, conducted by High Germans in Pensylvania, the best of them are the Greisheimers, who have hardly any common skill or knowledge in the vintage. *Other objections as to climate and tending etc. stated and answered.* If 10 or 12 skilful vine-gardiners, were allowed to go over with suitable plants, to choose convenient places, there is not the least doubt but that English America would in a short time appeare full as fit and capable for the nursery and wine-trade as any other place in the whole Universe. *Signed,* Joshua de Kocherthal. *Endorsed,* Recd. 2nd, Read 13th Jan. $170\frac{9}{10}$. 7 *pp.* *Enclosed,*

932. i. Abstracts of letters to Joshua de Kocherthal from persons consulted as to the cost of his maintenance at New York. *Endorsed as preceding. Copy.* 3 *pp.* [*C.O.* 5, 1049. *Nos.* 155, 155.i.]

Dec. 27. Whitehall. **933**. Mr. Popple to Governor Hunter. Encloses Order in Council, Dec. 15. *etc.* *Set out,* N.Y. Docs. v. 158. [*C.O.* 5, 1122. *pp.* 137, 138.]

Dec. 28. Whitehall. **934**. The Earl of Sunderland to the Council of Trade and Plantations. *Refers* to letter July 27. I once more desire to know whether you have any objection to Mr. Berwick, *etc.* *Signed,* Sunderland. *Endorsed,* Recd. Dec. 28, Read Jan. 4, $170\frac{9}{10}$. 1 *p.* [*C.O.* 28, 13. *No.* 4; *and* 29, 12. *p.* 65.]

[? Dec.] **935**. Thomas Gordon to [? the Earl of Sunderland.] Encloses "duplicate of the last Assembly's Address to be layd before H.M." For as soon as the Assembly [*New Jersey*] had complyed with H.M. commands and raised both men and money for the expedition against Canada, the Lt. Governour disolved the Assembly. My Lord Lovelace (a good and pious man, whose death is greatly lamented) in Aprill last appointed me Cheife Justice, in the room of Roger Mompesson. In Aug. the Lt. Governour put Mompesson in again, without assigning any reason for suspending me, *etc.* *Set out,* N.J. Archives, 1st ser. III. 500. *Signed,* Thomas Gordon. 2 *pp.* [*C.O.* 5, 980. *No.* 38.]

1709. **936**. Naval Office. List of Ships, Jamaica, 1709—1722. [*C.O.* 142, 14.]

1709 ff. **937**. Lists of persons recommended for Councillors in the Plantations. [*C.O.* 324, 48.]

GENERAL INDEX.

GENERAL INDEX.

A

Abbott, Col., 187.
Abeel, J., 621 iv. (*a*).
Accadia, Accadie. *See* Nova Scotia.
Acts of Parliament, 347.
......, *for ascertaining rates of foreign coin*, 116, 142, 192, 229, 296, 375, 391, 392, 421, 663, 765 ii.
......, ..., ignored, 621.
......, ..., petition against, 157 i.
......, concerning Councillors, 174.
......, ..., enumerated commodities, 392.
......, *granting subsidy on wines* 284.
......, *for better preserving mast-trees in America*, proposed, 914 i.,
......, ..., draft of, 914 ii.
......, *for encouraging importation of Naval Stores*, 914 i.
......, *for encouraging trade to America*, 87, 111, 142, 192, 248, 391, 391 viii., 392, 421, 621, 621 i., ii., 747 iv., v., 753, 765 ii., 924 i.
......, ..., memorial concerning, 100.
......, *for encouraging privateers in the West Indies*, 87, 589 i., 597 i.
......, complaints against, 301.
......, *for redressing abuses in the Newfoundland trade*, 566.
......, concerning rice, indigo and molasses, 192, 391, 392.
......, *for settling the trade to Africa*, 382, 453.
......, *of Trade and Navigation*, 119, 170, 177, 210, 226 i., 271, 284, 368, 368 i., 421, 652, 724, 739, 924 i., iii., 925, 927.
......, ..., of Union. *See* Union, the.
......, validity of, in the Plantations, 662.
...... *and see* Trade and Navigation.
Adams, Joseph, 150 iii., 443 i., ii.
......, Samuel, 857 iii.
......, Thomas, 195.
Adamson, Henry, bond of, 709 i.
Addington, Isaac, Secretary of Council, Mass. Bay, 391 i.
......, document signed by, 533 i., 860.
......, letter from, 416, 803.
Addison, Thomas, 131, 258.
Adgecantehook, Indian Castle at, 621 iv. (*b*).
Admiral, The Lord High, 56, 58, 86, 88, 96, 137, 174, 227, 261, 288 i., 295, 296, 357, 382, 387, 395, 408, 451, 461, 473, 567, 635, 640, 649, 655, 668, 709.
......, Commission by, 857.
......, Instructions, warrants by, 420, 658, 660, 794, 794 x–xii.
......, letter from, 80.
......, letter to, 398, 831 i.
......, ..., tenths of, 202, 589 i.
......, *and see* Denmark, Prince George of; Pembroke, Earl of.
Admiralty, The, 153, 165, 168, 247, 396.
......, High Court of, 395.
......, Secretary of. *See* Burchett, Josiah; Fowler, J.
Adventure, H.M.S., 597 i., 741.
......, capture of, 487, 529 iii., iv., 534.
Advice, H.M.S., 47, 223.
Africa, separate traders to, letter from, 855.
......, negroes imported by, 855 i.
African Company, the Royal, 25, 94, 94 i., iii., 126 i., 142, 142 iii., 150, 151, 328, 330.
......, ..., agents, factors of, 109, 109 iii., 382, 444, 484 xl., 583 xlviii.
......, ..., barred as councillors, 87, 174, 453, 466, 471, 473, 649, 872.
......, ..., and the Assiento, 226 i.
......, ..., case of, in Parliament, 655.
......, ..., letters from, 327, 347.
......, ..., negroes imported by, 73, 94, 94 i., iii., 192, 192 i., 197, 215, 215 i., ii., *and see* Negroes.

African Company, the Royal—*cont.*
......, ..., objection to, 243.
......, ..., petition concerning, 892 III.
......, ..., representation concerning, 330, 331, 913.
......, ..., return upon, ordered, 316, 910.
......, ..., trade of, 786.
African Trade, the, Act for settling, 382, 453.
......, ..., return upon, ordered, 316, 910.
......, ..., report upon, 913.
Akers, Capt., 484 XXI., 597 I.
Albany, 10, 217, 621 IV., 629, 848.
......, garrison of, 196, 387.
......, starting point for Canada expedition; 196, 475–478, 604, 666, 691.
......, stores of war at, accounts of, 400.
......, trade of, 60.
......, trade with Canada, 617.
Alden, John, Capt., memorial of, 554 I., III.
Aldy, Major, 5, 191.
Alegre (Allegra), Count de Cass, 56 II., 69.
Alexander, Francis, 583 VI.
Alexander, Stephen, 709 XI.
Alexander, Sir William, Earl of Sterling, grant of, 554 I.
......, sale of Nova Scotia by, 60.
Alford, Benjamin, 151.
Allcock, Samuel, 65 V.
Allen, Arthur, 216 III.
Allen, Jeremiah, document signed by, 391 III.
......, Thomas, claim to the propriety of New Hampshire, appeal of, and case of, 2, 58, 65 III., 185, 212, 260, 391, 392, 663.
Alleyne, Benjamin, 321.
......, Reynold, 180 II.
......, Thomas, deposition of, 180 II., VI.
America, ship, 374, 381.
Anderson, Alexander, 583 VI.
......, William, deposition of, 583 XXVIII.
Andrews, Nicholas, 158 IX.
Andross, Sir Edmund (formerly Governor of New England), 10, 554 I.
Anglosery, M., Lt.-Governor of Quebec, 60.
Anguilla, 597 I.
Anjou, Duke of, 382.
Annapolis (Ma.), charter of, 290, 410 I.
Anna Watta, document signed by, 554 I.
Anne, brigantine, 443 II.
ANNE, QUEEN, in Council, appeal to, 212.
......, orders in Council, instructions, references, warrants *etc.*, by, concerning :—
  Acts repealed, 791.
  Acts of Trade, 421.
  Antigua, 145, 147, 207, 443.
  Bahama Islands, 270, 344.
  Barbados, 97, 136, 140, 147, 153, 266, 272, 273, 287, 299, 320, 356, 370, 386, 386 I., 397, 402, 441, 441 II., 442, 446, 457, 482, 494, 518, 568, 582, 618, 634, 651, 653, 677, 681, 695, 696, 698, 715, 723, 764, 815, 861, 862, 892, 892 II., 893, 907.
  Bermuda, 23, 101, 576, 644–648, 815.
  Canada expedition, 387, 388, 691.
  Carolina, 271, 297, 678, 750, 760.
  Council of Trade, 782.
  Jamaica, 67 I., 102, 103, 112, 122, 133, 138, 146, 218, 408, 444, 447, 466, 471, 474, 858, 872.
  Leeward Islands, 269, 676, 736, 815, 909.
  Maryland, 211, 289, 289 II., 290, 315, 334, 521, 596, 795, 904, 905, 919.
  Massachusetts Bay, 815.
  Nevis, 34, 127, 198.
  Newfoundland, 47, 288, 329, 558 I.
  New Hampshire, 2, 205, 332, 439, 815.
  New Jersey, 11, 104, 105, 792, 814, 815, 819 VIII., 921, 924 I.–III., 925, 927, 930, 931.
  New York, 35, 36, 399, 493, 714, 728, 751, 815, 816, 901–903, 924 I.–III., 925, 927–929.
  patent offices, 15.
  Pennsylvania, 289, 289 II., 334, 481, 790, 791, 809.
  pirates, 557.
  St. Christophers, 34, 127, 198, 206, 236, 319.
  Seals for the Plantations, 16, 40, 50, 815.
  Stores of war, 59.
  Swiss Protestant refugees, 697, 724.
  Tobacco trade, 655.
  Virginia, 98, 121, 297, 409, 434, 435, 650, 678, 697, 724, 750, 760, 765, 793, 883, 906, 926.

Anne, Queen—*cont.*

......, representations, petitions, addresses *etc.* to, concerning :—

Antigua, 116 iv., 285, 443 i., iii., 487 ii.

Assiento trade, 226 i.

Bahama Islands, 270 i., 340.

Barbados, 29, 108, 134 i., 140 i., 224 i., 225 i., 226 i., 244, 270, 308, 326, 352 i., 369, 423, 441 i., 467, 513 iv., 518 i., 559, 586, 651 i., 653 i., 664, 694, 698 i., 700, 837, 844, 907 i.

Bermuda, 101 i., 231, 231 iii., iv., 637.

Canada expedition, 221 i., 794, 794 i–iii., 803, 806.

Carolina, 285, 412, 662, 716, 870.

convoys, 80.

French captures and encroachments, 554 i.

German Protestant refugees, 14, 171 i., 552 i., 801 i., 835 i.

Hudson's Bay, 522.

Jamaica, 110, 453, 474 i., 525, 525 i., 834, 835 i.

Leeward Islands, 25, 194 i., 200, 465 i., 524, 589 ii., 630, 736 i., 836, 909 i.

Maryland, 131 i., 203, 258, 289 i., 290, 410, 773, 880, 883.

Naval stores, 914 i.

Massachusetts Bay, 33, 33 i., 391, 533 i., 554 iv., 604, 914 i.

Montserrat, 524 i.

Nevis, 9, 264.

Newfoundland, 309, 922.

New Hampshire, 65 ii.–vi., 185, 212, 415.

New Jersey, 440, 778, 819 i., iii., iv., vi., vii., xi., 847 ii., iii.

New York, 14, 157 i., 375, 711, 879, 891 i., 924 i.

passes, 305, 449 i.

Pennsylvania, 32, 289 i., 717.

pirates, 908 i.

Port Royal expedition, 533 i., 803, 806.

Rhode Island, 604.

St. Christopher's, 9, 175, 182, 183, 183 iii., 209.

Swiss Protestant refugees, 601 i., ii.

Virginia, 90, 285, 601 i., ii., 650 i., 716, 883.

......, pardon by, 640, 669.

Anne, Queen—*cont.*

......, Parke, governor, rewarded by, 597 i., scandal concerning, 532.

......, Prerogative of. *See* Prerogative of the Crown.

......, Proclamation by, 47.

......, Victories of. *See* Churchill.

Antego. *See* Antigua.

Antego, packet boat, 69.

......, captured, 255.

Anthony, William, document signed by, 391 iv.

Anticosti, Island, 60.

Antigua, 116, 182, 187, 347, 367 ii., 505, 554 i., 709, 709 i., 748, 752.

......, Acts, bills of, 5, 532.

......, ... *for establishing courts*, 84, 99, 150, 182, 245, 264, 597 i., 878.

......, ..., concerning debtors, 182.

......, ..., regulating elections, 245.

......, ..., concerning Robert Freeman, 563, 869.

......, ... *for establishing guards*, 487.

......, ... for regulating Militia, 597 i.

......, ... *for quartering soldiers*, 245.

......, ..., *establishing privileges of Assembly*, 5, 117, 117 i.–iii., 245, 531, 597 i.

......, ... *for seating lands*, 367.

......, addresses from, 443 i., ii., 487 ii., 488, 597 i., 638, 641.

......, agent of. *See* Carey, Richard.

......, agents of African Co. at, 25, 182, *and see* Chester, Edward.

......, Assembly of, 25, 91, 116, 116 i., 531 ; *and see* Acts, bills.

......, ..., addresses of, 443 i., 488, 597 i.

......, ..., ..., reply to, 443 ii.

......, ..., adjournment, dissolution of, 193, 367, 873.

......, ..., attempts to bribe Governor Parke, 3, 531.

......, ..., claim to negative voice, 5, 117, 150, 487, 589 i., 597 i., 852, 873.

......, ..., clerk of, 487, 873.

......, ..., elections, privileges, qualifications of, 5, 117, 117 i.–iii., 245, 443 ii., 531, 589 i., 597 i.

......, ..., journal of, 5, 209, 484 iii.

......, ..., ..., copies of, refused to Governor, 873.

......, ..., ..., falsification of, 487, 873.

......, ..., irregularities of, 457.

Antigua, Assembly of—*cont.*
......, ..., and the Militia, 597 i.
......, ..., and quartering of soldiers, 116.
......, ..., speaker of, 117, 487, 589 i., 597 i., 873.
......, *Anne*, case of the, 443 ii.
......, attack by French expected, 443 ii., 597 i., 852.
......, Barbotaine, John, case of, 443 ii.
......, case of Mrs. Cardro's house in, 367.
......, cartel, the, 116.
......, Clarke, Capt., shot, 852.
......, attorney general of, 150, 150 iii.
......, chief justice of. *See* Watkins, Samuel.
......, Crabb Hill, 597 i.
......, Creple Gate Point, 597 i.
......, collector of Customs at. *See* Buckeridge, Richard.
......, cost of living in, 5, 487, *p.* 386.
......, Council of, 116, 117, 148, 150, 182, 193, 245, 488, 532, 589 i., 590, 597 i., 852.
......, ..., address from 150 i., 531.
......, ..., instructions from, 150 ii.
......, ..., minutes of, 5, 182, 367, 487, 531, 532, 597 i., 873.
......, ..., quarrel with assembly, 5.
......, ..., reply to charges against Governor Parke, 587–589 ii.
......, ..., secretary of, 590.
......, Council of officers, 597 i.
......, ..., proceedings of, 590, 590 ii.
......, Council and assembly of, address of, 531.
......, ..., minutes of, 117, 209.
......, Councillors of, 5, 116 ii., 145, 200, 207, 209, 336, 531, 590, 597 i.
......, courts in, 150.
......, court of Chancery, proceedings in, 150, 182, 443 ii., 531, 589 i., 590, 590 i., 597 i.
......, court of admiralty, proceedings in, 484 xxxix., 597 i.
......, ..., judge of the, 443 ii., 589 i.
......, debts, public, of, 597 i.
......, ..., difficulty of recovering, 597 i.
......, defence of, 443 i–iii., 532, 589 i., ii., vi., xxii., 597 i., 852.
......, evictions from, 182.

Antigua—*cont.*
......, Falmouth Harbour, 443 ii., 597 i.
......, fees, regulation of, 597 i.
......, flags of truce, 589 xiv, xvi., 909 i.
......, fortifications of, 532, 597 i.
......, ..., report on, 589 vi.
......, freeholders of, protected, 150.
......, 4½ p.c., commissioner of. *See* Perrie, Edward.
......, Freeman, Robert, case of, 869.
......, ..., petition of, 869, 869 i.
......, Governor of, complaints etc. against. *See* Parke, Daniel.
......, Governor and Council of, 117, ii., iii.
......, ..., address of, 116 iv., 232.
......, guardships at, 597 i.
......, Ham, John, case of, 443 ii.
......, Horne's Hill, 597 i.
......, hurricane at, 597 i.
......, imports and exports, accounts of, 149, 150.
......, justices of the peace in, 443 ii.
......, Jurdine, Richard, petition of, 564 i.
......, lawyers in, lack of, 531.
......, licences for leave from, 852.
......, Lt.-Governor of. *See* Yeamans, John.
......, Lt.-Governor and Council of, 597 i.
......, Lt.-Governor and Council, address of, 116 ii.
......, ..., oppose charges against Parke, 116 iii.
......, Lt.-Governor and Council of, letter from, 182, 183, 183 ii.
......, merchants trading to, petition of, 443 iii.
......, ..., reply to, 589 ii.
......, Militia of, 443 ii.
......, Militia, act for regulating desired, 597 i.
......, ..., Commissions in, 597 i.
......, ..., defects of, 589 i.
......, ..., reviewed, 852.
......, Monk's Hill, fortification of, 5, 443 ii., 532, 589 i., vi., 597 i.
......, Mutton, Capt., case of, 597 i.
......, Naval Officer of. *See* Brett, John.
......, negro shoots Governor Parke, 741, 852.
......, negroes in, 25, 150, 150 iii., 589 ii., ix., 597 i.
......, ..., barbarous treatment of, 852.
......, ..., imports and prices of, 109, 109 i.–iii., 855 i.

Antigua—*cont.*
......, ordinary office, fees of, 589 xviii.
......, Pearne, case of, 443 i., ii., 869.
......, planters in, grievances of, 597 i.
......, powder duty, remitted, 484 xvi., 443 ii., 484 xvi., 589 i., xvii., 597 i.
......, Prerogative of the Crown, 5. 597 i,, *and see* Assembly.
......, privateers, 116, 597 i.
......, ..., commissions of, 443 ii., *p.* 392.
......, prizes, 443 ii.
......, Provost Marshall of. *See* Ayon, Michael.
......, ..., deputies of, 597 i.
......, Quakers in, 597 i.
......, H.M. regiment in, 91, 191–193, 367.
......, ..., discipline of, 597 i.
......, ..., losses in naval action, 529 iv.
......, ..., quartering of, 116, 589 i.
......, riot in, 150, 150 iii.-xix, 459 i., 531.
......, St. Johns, 150, 443 ii., 589 i., xi., xxiv., xxv.
......, ..., fortification of, 532, 597 i.
......, ..., minister of. *See* Feild, James.
......, Secretary of, 531, 589 i., 597 i.
......, ..., deputy of, 5.
......, seizures, 245.
......, stocks etc., in, 597 i.
......, stores of war in, account of, 487 iii.
......, sugar, price of, 597 i.
......, trade, illegal, in, 117, 148, 150, 589 xi.–xvi., 597 i.
......, ..., with Carolina, 739.
......, ..., with New York, 10.
......, ..., with Rhode Island 230 ii.
......, Treasurer of, 852.
......, ..., accounts of, 25.
......, ..., removal of, 597 i. ; *and see* French, Joseph.
......, turkeys, 597 i.
......, Union the, welcomed in, 443 i
......, Waldron's Hill, 597 i.
......, Willoughby Bay, 597 i.
......, *and see* Codrington ; Chester ; Nivine ; Parke, and Leeward Islands.
Appeals from the Plantations, Committee for hearing ; *see* Privy Council.
Appleton, John, 391 i.
Appleton, Samuel, 391 i.
Aquaforte, Harbour of (Newfoundland), 554 i.
Archbould, James, 451 i.
Armistead, William, 216 iii.
Armstrong, Robert, 2.
......, ..., letter from, 212.
......, William, 911 ix.
Arnol, Robert, case of, 126 i., 180 ii., 583 xxix.
Arnold, John, 152.
Arnot, Alexander, deposition of, 180 iv. (*l*).
Arrears, commissioners for stating, letter from, 877.
......, ..., letter to, 884.
Artell, Monsr., 621 iv (*a*).
Ascough (Ayscough), John, 110, 208.
Ash, Isle of (Isle des Vaches) settled by the French, 654 i.
......, report on, 554 i.
Ashhurst, Sir William, 617.
Ashley (Ashby), —, Receiver General, S. Carolina, 424, 752.
Ashley, Maurice, a Lord Proprietor of Carolina, document signed by, 233, 237-241, 424–426, 456, 462, 464, 468, 469, 479, 480, 509, 514, 515, 544, 554 viii., 569, 659, 675, 682, 687, 713, 719, 735, 743, 744, 813, 828, 829.
Ask, Capt., 848.
Assiento, the (negro trade agreement), 134 i., 226 i., 331, 525 i.–vi.
Atkins, Lieut., 191.
Atkinson, John, 484 viii.
Atkinson, Theodore, 65 v., 260 i., 392 ii.
Attkinson, Keate, 597 i.
Attorney General, the. *See* Harcourt, Sir Simon (1708) and Mountague, Sir James (1709).
Atwood, William, late Chief Justice of New York, letter from, 802.
......, petition of, 545.
Aubin, Abraham, 908 v.
......, Penelope, wife of preceding, deposition of, 908 v.
Auditor General of the Plantations. *See* Blathwayt, William.
Avason (Newfoundland), 554 i.
Aynsworth, James, 179, 180, 317, 324, 380, 583 xvii.
Ayon, Michael, Provost Marshal of Antigua, 5, 150 iii., 209, 443 ii., 459 i., 589 i., 597 i., 624 (*b*).
......, letter from, 741, 852.
......, deposition of, 150 vi.
......, document signed by, 487 ii.
Ayris, —, Governor of Tobago, 554 i.

B

Baas, M. de, Governor of Martinique, 554 i.
Baber, John, secretary of Jamaica, 56 i., 781.
......, letter from, 812.
......, letter to, 854.
......, petition of, 812 i.
Badminton, 597 i.
Bahama Islands, the, 301.
...... account of, 870.
......, ..., defence of, proposals for, 340.
......, French at, 615.
......, ..., cruelty of, 176, 176 i., ii., 448, 472, 643, 733, 870.
......, ..., not resident at, 794 ix.
......, ..., seizure by, 606.
......, Governor proposed for, 340.
......, Harbour Island, 472.
......, Lords Proprietors of, 340.
......, ..., letter to, 291.
......, neglected state of, 340.
......, New Providence, 870.
......, ..., fortification of, demanded, 270 i.
......, ..., raid on, 448.
......, privateers, 870.
......, recovery of, instructions for, 658, 660, 794, 794 v., 794 ix., 794 xi.
......, ..., delay in, proposed, 794 ix.
......, report upon, 340, 344.
......, resumption to the Crown, petition, proposal for, 270 i., 291, 340, 448.
......, salt in, 448.
......, soldiers for, 340.
......, Spaniards in, 615.
......, ..., cruelties of, 870.
......, ..., seizure by, 606.
......, ..., settlement by, feared, 270 i.
......, trade with Carolina, 739.
......, trade with Rhode Island, 230 ii.
Bahamas; *and see* Providence.
Baker, —, Capt. R. N., 376.
......, Henry, document signed by, 62.
Ball, Guy, affidavit of, 29.
Ballard, Benjamin, agent for Royal African Co., 583 xlviii.
Baltimore, Lord. *See* Calvert, Charles.
Bamfeild, Philip, case of, 126 i., 180 ii., 180 iv. (*h*), 583 xxvi., 694.
Banker, Evt., 621 iv. (*a*).
BARBADOS, 11, 29, 116, 117, 151, 197, 228, 531, 532; *and see* Dominico; St. Vincents; Sta. Lucia; Tobago; African Co.; Beresford, Samuel; Crowe, Mitford; Downes, Richard; Lillington, George; Sharpe, William; Skene, Alexander; Sober, John; Walker, Alexander.
......, accounts of, 88, 96, 180, 248.
......, Acts of, 88, 276, 642.
......, Act of, *for settling accounts*, 326, 857 i.
......, ..., *for appointing agents*, 502, 513, 642, 748, 837.
......, ..., ..., repeal of, 861.
......, ..., *appointing clerks and marshals* etc., 407, 559.
......, ..., *for holding a court of Grand Sessions*, 88, 825, 830, 844, 862.
......, ..., *regulating elections*, 245.
......, Act, Excise, 96, 126 i., 141 iii., 180 ii., 694, 837.
......, ..., clauses in to be repealed, 568.
......, ..., *concerning fees*, 568.
......, ..., for Governor's House rent, repealed, 210.
......, ..., levy bill, 180.
......, ..., for regulating the Militia, 597 i.
......, Acts, the Paper (*for ascertaining payment of bills*), 141 iii., 156, 180 iv. (*j*), 222 v., 326.
......, ..., evil effects of, 96 i., 179, 855.
......, ..., how procured, 96 i.
......, ..., objection, petition, against, 156, 156 i., ii., 583 iii., 583 xiii.,
......, ..., project of new Act, 126 i., 178, 180, 180 ii.
......, ..., repealing Paper Act, 88.
......, ..., *adjourning sessions*, 709 xiii.
......, address from, 180 iv. (*b*), 210, 502, 583 lxi.
......, agents of, 180 ii., 210, 502, 513, 642, 709.
......, ..., right of appointing, 141 iii., 837.
......, ..., ..., instruction concerning, 895.
......, Assembly of, 126 i., 180 viii. (*b*), 396, 583 x.; *and see* Acts, Council.
......, ..., addresses by, 96 i., 126, 126 i., 129, 141 iii., 156, 156 iii., 180 ii., 180 iv. (*j*), v., 222 iv., v., 248, 274, 502, 502 vi., 513, 513 i., iii.–vi., 518 i., 857 i.

Barbados, Assembly of, addresses by —*cont.*
......, ..., ..., reply to, 156 iv., 577, 583, lx., lxi.
......, ..., adjournments of, 694.
......, ..., claim to appoint agents. *See* Barbados, agents.
......, ..., clerk of, 502.
......, ..., complaints against A. Walker, 222, 222 v.
......, ..., ..., reply to 222.
......, council, difference with, 96.
......, ..., dissolution of, 91, 248.
......, ..., elections to, 502, 513 i. (*b*).
......, ..., Governor's message, speech, to, 141 i., 156 iii., 709, 857 ii., iii.
......, ..., grievances of, 96 i.
......, ..., journals of, 222 ii., 502, 583 xi., xii., l., li.
......, ..., levy bill, 180.
......, ..., presents voted by, 126, 141 iii., 274.
......, ..., reply to the Three Councillors, 180 iv. (*b*).
......, Assiento trade, 226 i.
......, Attorney General of, 96, 180, 180 ii., 396; *and see* Hodges, Thomas.
......, Baptisms, burials in, 96 ii., 709 viii.
......, Bate, case of, 126 i.
......, Bridge Town, inhabitants of, petition of, 583 xiii.
......, Bushel, William, complaints of, 895.
......, Chappell Plantation, appraisement of negroes on, 583 xvii.
......, Chief Justice of, 126 i.
......, Church livings in, disposal of, 96 i., 141 iii., 248.
......, citron water, 183.
......, clerk of the Crown, 96.
......, clerk of the Markets, 15, 63, 96.
......, Colony from, 554 i.
......, Commissions of Peace, changes in, 597 i., 698 i.
......, convoys, 80, 95, 96, 248, 396, 684.
......, cost of living in, 274.
......, Council of, 91, 96, 141 iii., 179, 180 ii., 222 iii., v., 502, 503, 513, 513 iii., v., 583 viii., ix., 749.
......, ..., adjournment of, 126 i.
......, ..., appeals to, 88, 583 lix.
......, ..., document signed by 4 members of, 513 iii., v.
......, ..., Governor's arbitrary proceedings in, 179.
Barbados, Council of—*cont.*
......, ..., Minutes of, 141 iii., iv., 179, 180, 180 iv, (*a*), (*d*), vii., 352 i., 396, 502, 502 i., 513, 513 ii., 583 xlix., 892 ii., 895.
......, ..., Minutes of, omissions in, 210.
......, Council and Assembly of, 180.
......, ..., complaint, against Capts. Legge and Norbury, 709.
......, ..., memorial from, 586.
......, ..., minutes of, 88.
......, Councillors of, 88, 108, 126, 136, 147, 179, 180, 210, 225 i., 242, 244, 273, 287, 299, 302, 317, 324, 380, 442, 457, 616, 656 i.
......, ..., the Three Suspended, (Beresford, Sharpe, Walker, *q.v.*), case of, 690, 694.
......, ..., ..., address concerning, 577.
......, ..., ..., protest against, 583 lx., lxi.
......, ..., ..., ..., reply to, 156 iv.
......, ..., ..., charges against, 502, 502 vi, 513, 513 i.–ix.
......, ..., ..., charges by, against Governor Crowe, 96 i., 126, 126 i., 129, 141, 141 i.–iii., 156, 178, 179, 180 i.
......, ..., ..., ..., reply to, 180 ii.
......, ..., ..., ..., depositions concerning, 857, 857 iv.–vii.
......, ..., ..., letters, petitions, representations of, 156, 156 iv., 178, 179, 180 i., 496, 502, 502 i.–vi., 583, 583 ii., iii., v., 599.
......, ..., ..., ..., reply to, 180 ii., 180 iv. (*b*), 583 iv.
......, ..., ..., restoration of, 356, 370, 379, 380, 502, 513, 618, 642, 748, 749, 857, 857 vi.
......, ..., ..., ..., delay in, 502, 502 i.–v., 503.
......, ..., ..., ..., suspension of, 126, 156, 178, 179, 317, 356, 370, 583 ix.
......, ..., ..., ..., reasons for, 324, 513.
......, ..., ..., ..., ..., report upon, 352 i.
......, Courts of, 386, 892 ii.
......, ..., abuses in, 96 i., 126 i., 248.
......, ..., causes in, 96 iii., 583 xiv. ff., 709 iii.–vii.
......, ..., marshals of, 326.
......, ..., proceedings of, 396, 396 iv.

Barbados—*cont.*
......, Court of Admiralty, judge of. *See* Buckworth.
......, ..., seizures condemned in, 709 XI.
......, Court of Chancery, 179, 180 II., V., 583 XIV. ff., 694, 709.
......, ..., abuses in, 126 I., *and see* Crowe, Mitford.
......, ..., causes depending in, 709 II.
......, ..., extortion in, 96 I., 248.
......, ..., Registrar of, 96 I., 141 III., 180.
......, Custom House officers, complaints against, 180, 180 II., 380.
......, debts of, 156.
......, decline of, 853.
......, defence of, 396, 709, 857 II., III.
......, Downes, Richard, case of, 141 III.
......, factions in, 126.
......, Fort St. Anne, 96, 240.
......, forts of, repair of, urged, 709.
......, fortifications of, 396.
......, 4½ p.c. duty, 210.
......, Gillingham, Manasses, case of, 126 I., 892; *and see* Gilligan.
......, Governor of. *See* Crowe, Mitford; Granville, Sir B.
......, ..., house of (Pilgrim), 180 II., 274.
......, ..., ..., house-rent, 274.
......, ..., instructions to, 568.
......, ..., presents to, 597 I.
......, ..., ..., disallowed, 274.
......, ..., salary of, proposal to increase, 853.
......, Governor and Council of, Order concerning, 386.
......, Governors and Vice-Admirals of, 857.
......, Grand Jury, 180.
......, ..., address of, 210.
......, Guardships for, 586, 709.
......, ..., prizes of, 748.
......, health of, 709.
......, Holder, John, case of, 88.
......, imports of beef and grain, 766, 779.
......, inhabitants of, baptisms and burials, 96 II., 709 VIII.
......, inhabitants, increase of, 709.
......, Jews, taxation of, 583 XIII.
......, Justices of Peace in, 88.
......, *Laurel*, case of, 210.
......, Lieut.-Governor of, 126 I., 180 II., 554 I.
......, Lillington, case of, 141 III.
......, Madeira wine imports, 96.
......, Marshals, right to appoint, 857 I.

Barbados—*cont.*
......, merchants and traders of, address by, 502.
......, merchants trading to, testimonial by, 302 I.
......, Militia of, 126, 141 III., 179.
......, ..., commissions in, changes in, 126 II., 180 II., 583 LII.–LV., 694.
......, Naval Officer of, 39, 39 I., II., 94, 94 II., 96, 132; *and see* Cox, Samuel.
......, negroes, 73, 126 I., 151, 331.
......, ..., account of, 13.
......, ..., imports and prices of, 25, 94, 94 I., III., 248, 277, 709 IX., 855, 855 I., 892 III.
......, ..., required for, 531.
......, ..., runaway, 539.
......, ..., tax on, 583 XIII.
......, ..., trade in, 134 I., 228.
......, ..., trade, petition concerning, 892 III.
......, ..., trade, with Spaniards, 210.
......, ..., trade in, with Virginia, 215, 215 I.
......, *Neptune*, case of, 583 II.
......, Paper Bank, project concerning, 180 VIII (*a*).
......, Paper Money; *see under* Act, Paper.
......, papers relating to, presented to Board of Trade, 219.
......, Patent Offices in, 15, 88, 210, 248, 467, 857 I.
......, ..., encroachments on, 326.
......, ..., list of, 96.
......, Patent Offices, ; *and see* Gordon, George.
......, Pilgrim, 180 II., 274.
......, possibilities of, 597 I.
......, powder, 895.
......, powder duty, 210.
......, and the Prerogative of the Crown, 837.
......, pressing of seamen, 248.
......, privateers, sufferings from, 540.
......, prizes, 88, 180, 709 XI., 748.
......, ..., instructions concerning, 275.
......, Proprietors in, letter from, 892 III.
......, ..., deposition of, 321.
......, Provost Marshal of, 96, 126 I., 308, 360, 362–364, 684, 709, 857 I., ; *and see* Gordon, George.
......, Provost Marshall, Deputy, 907 I.
......, Provost Marshal of, encroachments upon office of, 326.
......, Receiver General of. *See* Berwick, Samuel.

Barbados—*cont.*
......, Revenue of, 844.
......, ..., accounts of, 88, 709, 895.
......, Regiment in, Marshal of, 583 XLII, XLIII.
......, Seal, new, for, 40, 815.
......, Secretary of, 248, 597 I.
......, ..., fees of, 349, 369; *and see* Skene, Alexander; Baron, T.
......, ships and shipping returns of, 10, 277, 583 XIII.
......, smallpox in, 709.
......, stores of war of, account of, 83, 396, 396 I.–III., 709 XII., 895.
......, ..., request for, 396, 396 I.
......, sugar crop, 96, 684, 709.
......, supply, vote for, 396.
......, trade, decay of, 583 XIII.
......, trade, fleet of, 96, 141, 141 IV., 248, 684.
......, trade, illegal, 166, 186.
......, trade with Carolina, 739.
......, trade with Maryland, 197.
......, trade with New England, 779.
......, trade with Newfoundland, 223 I.
......, trade with New York, 396, 779.
......, trade with Rhode Island, 230 II.
......, trade with Spanish West Indies, 134 I.
......, trade with Virginia, 174, 216 I., 779.
......, Treasurer of, 141 III.
......, ..., and the Paper Act, 156; *and see* Maycock, Thomas.
......, Vice-Admiralty of, 857.
......, windmills, tax on, 583 XIII.
Barbarie, John, document signed by, 157 I.
Barbottaine (Barbollain), John, 443 II., 487 II., 597 I., 589 XVI.
......, ..., deposition of, 589 XIV.
Barbuda. *See* Codrington, Col.
Bargus, William, 890 III.
Barillon, M., French Ambassador, 554 I.
Bark, Edward, Chief Baron, Barbados, 583 XXIX–XXX.
Barnes, John, 150 III., 443 I., II.
......, ..., deposition of, 484 VII.
Barnet, Richard, letter from, 243.
Baron. *See* Barons.
Baron, Thomas, Secretary, Barbados, case of, 126 I.
......, ..., deposition of, 180 IV. (*c*), (*h*).
Barons (Baron), Samuel, 25, 117, 150, 381, 532.
......, ..., letter from, 374.
Barrett, Abraham, 890 III., 911 IX.
Barron, —, Dep. Clerk of Council, Barbados, 583.
Barrott, Abraham, 756.
Barrow, Thomas, restored to practice, Jamaica, 142, 247.
......, Harbour of (Newfoundland), 554 I.
Barwick, Samuel. *See* Berwick.
Bassett, Thomas Abell, petition of, report upon, 279.
Bate, Raynes (Barbados), 63, 126 I., 180 IV. (*m*), 583 VI., 583 XLVIII.
Bate, Richard, letter to, 892 III.
Bates, John, 228.
Bath Town, 424.
Battyne, William, 180 IV. (*i*).
Bawden, Richard, 890 iii.
Bay of Bulls, inhabitants of, conditions of ransom of, 890 II.–IV.
Bayard, Nicholas, memorial from, 554 I., X.
Bayard, Samuel, 767.
Bayer, Bastian Otto, 150 III., 443 I., II.
......, ..., arrest of, 459 I., 852.
......, ..., charged with shooting Governor Parke, 741.
......, John Otto. 443 I., II., 741.
B., E., letter signed by, 831 I.
Beach, Capt., R. N., 554 I.
Beaufort, Duke of. *See* Somerset, Henry.
Beaulieu, Henry, 487 II.
Beckford, Peter, 174, 649.
......, ..., character of, 452 I.
Beckles, Thomas, 274, 502, 502 II., 583 II., III., 857 IV., V.
......, ..., deposition of, 583 XL.
Beckman, J., 10 I.
......, document signed by, 157 I.
Beeston, Sir W., late Governor of Jamaica, 142, 444, 525 I.
Belcher, Andrew, 391 I., II.
Bell, Boaz, 411.
......, ..., deposition of, 411 I.
Bellomont, Earl of. *See* Coote, Richard.
Benbow, Vice-Admiral, son of, 620 I.
Bendall, Hopefor, 443 I., II.
Bendysh, H., letter from, 657, 737.
......, ..., letter to, 667.
Bendyshe, Thomas, letter from, 564.
Benger, Mrs., petition of, reply to, 158 VIII.
Benjers, — (Newfd.), 890 II.
Bennett, Benjamin, Lt.-Governor of Bermuda, 870.
......, ..., charges against, 72, 101 I., 201, 817.
......, ..., ..., reply to 231 I., II.
......, ..., complaint by, 163.
......, ..., correspondence of, precautions for, 389.

Bennett, Benjamin, correspondence of—*cont.*
......, ..., ..., interception of, 389.
......, ..., ..., enclosures to brother, 389.
......, ..., letter to, 23, 163, 643, 673, 728.
......, Sir John, 389, 508, 575.
......, ..., letter from, 18, 72–75, 176, 201, 389, 390, 411, 472, 615, 755, 817.
......, William, document signed by, 358 I.
Benningen, Sieur van, 554 I.
Bentiett, Robert, 911 IX.
Bentley, Elizabeth and John, petition of, 583 LVIII., 651 I.
......, ..., report upon, 664.
......, ..., order concerning, 681, 695.
Beresford, Richard, 739.
......, Rev. Samuel, Councillor of Barbados, 352 I., 583 IX.
......, ..., bribery attempted by, 513 IX.
......, ..., character of, 180 II., VI.
......, ..., charges against, reply to, 248.
......, ..., charges against Governor Crowe etc., 129, 178, 224 I., 320.
......, ..., ..., reply to, 180 IV. (*b*).
......, ..., depositions concerning, 857, 857 IV.–VII.
......, ..., letter from, 126, 156, 156 IV., 178, 583.
......, ..., petition of, 222 III.
......, ..., ..., representation of, to Governor Crowe, 126 I., 178, 179, 180 I.
......, ..., ..., reply to, 180 II.
......, ..., removed from Commission of Peace, 583 VI.
......, ..., restoration of, to Council, 356, 370, 380.
......, ..., suspension of, from Council, 156, 178, 179, 317.
......, ..., ..., reason for, 324.
......, ... ; *and see* Barbados, Councillors, the Three.
Berkeley, James, Earl of Berkeley, Viscount Dursley, 214.
Bermingham, John, deposition of, 150 VIII.
BERMUDA ; *and see* Bennett, Benjamin ; Bennett, Sir John ; Jones, Edward.
......, Acts of, 389.
......, Act *for building ferry-house*, 390.
......, ... *for regulating Courts*, 389.
......, agents of, 231, 643.
Bermuda—*cont.*
......, Assembly of, 231 I., 390.
......, Attorney General of, 163.
......, Collector of Customs at, 176.
......, Colony from, 554 I.
......, Council of, 72, 389, 389 I.
......, Council and Assembly of, petition of, 231, 231 III., IV.
......, Councillors of, 637, 643–648.
......, Court of Admiralty at, proceedings of, 176, 176 V.
......, Daffy, trial of, 176, 176 III.
......, defence of, 411.
......, fortifications of, 817.
......, Justices of, deposition of, 231 I.
......, ..., remonstrance of, 18.
......, Lt.-Governor of, salary of, 5 ; *and see* Bennett, Benjamin.
......, land in, impoverishment of, 230 IV.
......, *Margaret* sloop, case of, 176, 176 IV., V.. 643.
......, Newman, Mathew, case of, 46.
......, Naval Officer's lists, 176.
......, negroes in, 73.
......, Orders in Council concerning, 23.
......, Provost Marshall of. *See* Jones, Edward.
......, ports, restriction of, petition against, 231, 231 IV.
......, Proprietors of, 231 IV.
......, St. Georges, harbour of, 231 IV.
......, salt ponds, 231 IV.
......, seals, new, 40.
......, ..., warrant for use of, 815.
......, Secretary of, 389 ; *and see* Jones, Edward.
......, shipping of, 231 IV.
......, stores of war, accounts of, 389, 390, 755, 817.
......, tobacco, planting of ceased, 231 IV.
......, trade of, 231 IV.
......, trade, illegal at, 176, 176 IV., V.
......, trade with Jamaica, 448.
......, trade with Rhode Island, 230 II.
......, trade with Virginia, 216 I.
......, treasure trove in, proceedings relating to, 817, 817 I.
Bernard, Thomas, petition of, 525, 525 I.
Bernoe (? *Peroneau*), 411 II.
Berwick (Barwick), Samuel, 179, 180, 317, 324, 380, 934.
......, ..., petition of, 656 I.
Beverley, Robert, vineyards of, 932.
Bevon, — (Nevis), 187.
Bickford, William, 911 IX.
Biggs, Seth, 131.

Bignall, William, letter from, 445 i.
Bill, Jacob, 228.
Bill, John, 174 ii.
Bilton, William, Capt., letter to, 831 ii.
Bird, William. *See* Byrd.
Bishop, John, deposition of, 589 xxv.
Black, Cuthbert, 487 ii.
Blackamore, ship, 752.
Blacke, Patrick, 484 xxii.
Blackman, John Lucy, 443 ii., 597 i.
Blackwater Swamp (Va.), 655.
Blake, Alexander, 150, 193, 487 ii.
......, Jos., a Lord Proprietor of Carolina, document signed for, 462, 479, 480, 509, 514, 544, 554 viii., 659, 713, 813.
......, Mrs., deputy appointed by, S. Carolina, 455.
Blakiston, Nathaniel, agent for Virginia, late Governor of Maryland, 258.
......, ..., letter to, 760.
......, ..., document signed by, 811.
Blathwayt, William, Auditor General of the Plantations, and acting Clerk of the Privy Council, 179.
......, ..., documents signed by, 34, 35, 59, 112, 206, 207, 211, 399, 441, 443, 444, 858, 861, 862.
......, ..., letter from, 413, 827, 832 i.,
......, ..., letter to, 414, 808, 823, 824.
Blenheim, battle of, 597 i.
Blennac, Comte de, Governor of Martinique, 554 i.
Blizard, Giles, 487 ii.
......, ..., junr., 487 ii.
......, Jeremiah, 487 ii.
......, ..., junr., 487 ii.
......, Major, sloop of, seized, 589 i.
Block Island, defence of, 230.
Blomberg, Baron, 554 i.
Blondon, John, junr., 487 ii.
Boden, Richard, 756.
Bodinot, 848.
Bole, William, 890 iii.
Bonaventure, M., Lt.-Governor of Port Royal, 60.
Bonavista, 554 i.
Bond, Francis, 302.
......, ..., testimonial to, 302 i.
Bon Jesus, ship, 908 ii.
Bonner, John, 451 i.
Bonnin, Gousse, 487 ii.
Boon(e), Joseph, 662.
Borland, John, case of, 391.
Boston, 17, 19, 58, 196, 260, 261, 604, 617.
......, collector at, 55.
......, conference at, 794.
Boston—*cont.*
......, Fort William, 391.
......, accounts of, 394 v.
......, inhabitants of, address from, 794 iii.
......, negroes in, 151.
......, negroes, imports of, 151 i., 228.
......, post, 10.
......, powder magazine at, 391.
......, rendezvous for Canada expedition, 475–478, 497, 498, 629, 666, 794.
Bouvy, Gabriel, petition of, 305.
Bowden, Mary, Mrs., agreement of, with Governor Parke, 117 iv.,
......, ..., negroes of, 194 iii.
......, ..., petition of, 117, 183, 193, 381, 488.
......, ..., ..., order in Council concerning, 505.
......, ..., ..., reply to, 194, 194 i.–viii.
......, ..., ..., representation concerning, 359.
......, Richard, 890 ii.
Bowles, Robert, 756.
......, William, 756.
Bowman, John, 274, 583 xvii., 857 iii.
Bowne, Andrew, 578.
......, John, 11 i.
Boyle, Henry, Secretary of State, 221.
......, ..., document signed by, 676–678.
......, ..., letters, references from, 14 i., 76, 82, 85, 512, 552.
......, ..., letters, representations to, 38, 71, 78, 89, 148, 183, 183 i., 367, 470, 488, 554, 602, 892.
Bradshaw, Thomas, reprieve of, 451, 451 i.
Brady, John, 487 ii.
......, ..., document signed by, 150 iii.
Bramby, John, 524 i.
Brattle, Edward, Capt., document signed by, 394 i., ii.
Bray, David, 216 iii.
Breda, Treaty of, 554 i.; *and see* Treaties.
......, Treaty of, infractions of by the French, 554 i.; *and see* French.
Breholt, John, pirate, 557 i., 908 ii.–v.
......, ..., proposed expedition to Madagascar, 575.
Breton, Cape, 60.
Brett, John, 487 ii., 597 i.
......, ..., deposition of, 589 ix., xii., xvi., xxvii.
Brew Islands, engagement off, 56 ii.

Bridge, Sir Tobias, 554 I.
Bridger, John, Surveyor General of H.M. Woods in America, 33, 58, 896, 899, 914 I.
......, ..., affidavit of, 118.
......, ..., appeal by, 17, 17 II.
......, ..., application for allowances *etc.*, 24.
......, ..., complaints against, 58.
......, ..., directions for support of, 30.
......, ..., instructions by, 17 II.
......, ..., instructions to, concerning masts, 24.
......, ..., letter from, 17, 428, 693.
......, ..., letter to, 24, 674.
......, ..., protection of, 391, 392.
Bridges, —, (New York), grants of land to, 848.
......, Mrs., 848.
......, William, Commissioner of Ordnance, document signed by, 114, 306.
Bridgwatter, Thomas, 187.
Bristol, 72, 107, 142, 150, 191, 255, 852.
......, Custom House, officers of, return by, 619, 619 I.
......, merchants of, petition against Governor Parke, 465 I.
......, and Newfoundland Fishery, 619 I.
......, (N.E.), 604.
Bristol, H.M.S., 131, 322 III.
Brodrick, William, 142, 573.
......, ..., testimonial to, 452.
Bromfield, Edward, 391 I.
Bromley, J., 821.
Bronsuns, —, letter to, 890 IX.
Brooke, Capt., collector at Bermuda, 176.
Broughton, Edward, 835 I.
......, ..., petition of, 525, 525 I.
......, Sampson, Attorney General of New York, 35, 61 I.
......, Thomas, Surveyor General of S. Carolina, 424, 739.
......, ..., warrant to, 468, 829.
Brouillan, M. St. Ovide de, late Governor of Port Royal, 890 V.
......, ..., appointed Governor of St. Johns, 890 II.
......, ..., captures St. Johns, 859 I., 890 II.
......, ..., holds inhabitants to ransom, 890, 890 III., IV.
......, ..., letter to, 533 I.
Brown, Andrew, 921.
......, Anthony, 443 I., II.
......, Jeremiah, deposition of, 484 XXV.
......, Joseph, 577.
Browne, Samuel, document signed by, 187.
Browne, William, 391 I.
Browning, Christopher, 158 IX.
Brunt, van, Cornelius, document signed by, 157 I.
Bruster, Thomas, 228.
Buccaneers, 540.
Buckeridge, Richard, Collector of Customs, Antigua, 117, 478 II., 597 I., 852.
......, ..., deposition of, 589 XII., XV.
......, ..., suspended, 193.
Buckshorn, Joseph, 487 II.
Buckworth, Charles, Judge of the Admiralty Court, Barbados, imprisonment of, 126 I., 180 II., 694, 583 XLI., 694.
......, ..., deposition of, 583 XLI.
Bullard, Benjamin, 583 VII.
Bullen, Thomas, junr., 583 LVI.
Buncombe, Edward, speaker of Assembly of Montserrat, document signed by, 524 I.
Buor, Capt., 487, 488, 531, 597 I.
......, ..., document signed by, 193 I.
Burchall, Robert, deposition of, 231 I.
Burchett, Josiah, Secretary of the Admiralty, 10.
......, ..., letter from, 214, 254, 288 I., 322, 338, 376, 382, 460, 562 I., 608, 660, 747, 831, 887, 890.
......, ..., letter to, 47, 86, 213, 253, 322 I., 357, 461, 567, 607, 635, 702, 731, 740, 894.
Burlington, 10, 11, 11 I. 578.
Burlington, H.M.S., 684, 709.
Burnet, William, 180 IV. (*k*).
Burreau, — (Antigua), 484 XV.
Burrell, Henry, 117 IV., 194 II.
......, ..., deposition of, 194 III.
......, ..., document signed by, 183 III.
Burroughs, Leonard, 487 II.
Burryan, John, 9, 199.
Burt, William, 756.
Burton, Daniel, 194 II.
Burton, John, 487 II.
Burton, Thomas, deposition of, 231 I.
Bushel, William, Capt., affidavit of, 210, 709, 895.
......, ..., bond of, 709 I.
......, ..., deposition of, 709 I.
Bushwick, town of, 848.
Buss, John, 65 VI.
Bute, —, 554 I.
Butler, James, 756.
Butler, John, junr., 756.
Buzzard's Bay, N.E., 252.
Byam, Edward, 116 II.
......, ..., document signed by, 150 II.
......, Samuel, 150, 381, 487 II., 531, 590.

Byam—*cont.*
......, William, 5, 116 ii., 150 ii., 200, 207, 209, 336, 531, 588, 590, 852.
Byerley, Thomas, Collector, New York, 10, 51.
......, ..., letter from, 404, 405, 610, 706.
......, ..., letter to, 52.
......, ..., petition of, 850.
......, ..., restored to office, 405.
......, ..., suspension of, 405, 848.
Byng, Sir George, Admiral, 80.
Byrd, William, 90, 98, 121, 216 iii.

C

Cabbage Tree Walk, Plantation in Barbados, 583 xxxiii.
Cabinet, Council, the, 602.
Cabot, Sebastian, 554 i.
Cachnawage, Indian Castle at, 621 iv. (*a*), (*b*).
Cacho, Company, the, 331.
Cadarachqua, River, 621 iv. (*a*).
Cagnaquinny, Indian Sachem, 107.
Caisson, Abraham, 487 ii.
Calcot, Samuel, 65 v.
Cales, 411 ii.
Callahane, Charles, 443 i., ii.
Calman, Alexander, 487 ii.
Calvert, Charles, Baron Baltimore, Lord Proprietor of Maryland.
......, Act *concerning agents of*, 296.
......, Act *empowering farmers of rents of*, repealed, 296.
......, boundary dispute with Penn, 173, 256, 410.
......, ..., petition of concerning, 289 i., 298, 521.
......, ..., ..., dismissed, 596.
......, ..., order concerning, 334.
......, letter from, 154.
......, ..., to, 115 (1681), 289. ii., iii.
......, patent of, 565.
......, Sir George, grant of, 554 i.
Campbell, James, letter from, 348, 548.
......, ..., ..., to, 348 i., 519.
......, petition by, 558 i.
Campeachy, Bay of, 174.
......, logwood from, 739.
...... settlement at, proposed, 632.
Campion, John, 890 iii.

Canada, 65 ii., iii. ; *and see* Indians ; France ; Montreal ; Nova Scotia ; Quebec.
......, account of, 60, 107.
......, acquisition of urged, 19, 609, 794, 794 i.–iii., 797, 798, 803, 806 ; *and see* expedition against.
......, attack from on New England, threatened, 196.
......, expedition against, 708, 819 xi., 888, 935 ; *and see* Nicholson, Francis ; Vetch, Col.
......, ..., abandonment of, 612, 670, 794.
......, ..., addresses, petitions for renewal of, 794, 794 i.–iii., 797, 798, 803, 806.
......, ..., arms for, 387, 604.
......, ..., command of, 196, 475–477, 794 ; *and see* Nicholson, Francis.
......, Commissariat of, 387.
......, ... Congress of Governors, resolutions of, concerning, 794, 794 i.
......, ..., ..., address of, 794 ii.
......, ..., cost of, 666, 794 ii.–iv., 803, 879.
......, ..., Council of War concerning, 497, 498.
......, ..., Indians and the, 196, 387, 604.
......, ..., ..., reports by, for, 621 iv., 629.
......, ..., instructions concerning, 387, 388, 475-478, 492, 497, 498, 691, 794 i.
......, ... forces for, 475-478.
......, ..., Navy and, 387, 794.
......, ..., pilots for, 387.
......, ..., preparations for, 604, 605, 621 v., 629, 666, 689, 691, 794, 797, 803.
......, ..., proposals for, by Lord Cornbury, 107, 235 ; by Col. Vetch *etc.*, 58, 60, 85, 196, 391, 602, 609.
......, ..., ..., report upon, 221, 221 i.
......, ..., proclamation for encouraging volunteers, 387, 604, 629.
......, ..., quotas for, 196, 387, 388, 475-478, 497, 498, 621, 666, 691, 794, 794 i.–iii.
......, ..., ..., refused by New Jersey, 578, 604, 605.
......, ..., ..., refused by Pensylvania, 580, 604, 605.
......, ..., rendezvous for, 387, 388.
......, ... skirmishes with French, 666.

Canada, Commissariat of—*cont.*
......, ..., success of, expected, 602, 603, 617, 621, 691.
......, ..., transport for, 387.
......, fishery of, 609, 794 III.
......, forts, 217.
......, French in, 65 II., III., 540, 554 I., 609.
......, ..., intermarriage of, with Indians, 217.
......, ..., forces, numbers of, 107, 217.
......, fur trade, 217, 794 II.
......, Governor of, 60; *and see* Vaudreuil, M. de; Subercasse, M.
......, grants of and claims to, 554 I.
......, Indians, intermarriage with, 217.
......, ..., numbers of, 217.
......, ..., rewards of, for scalps, 391.
......, Intendant of, 60.
......, Naval Stores in, 609, 794 II.
......, neutrality agreement with New York, 554 I.
......, resources of, 60, 609.
......, Surveyed [? by Capt. Vetch], 60.
......, trade with, 617.
......, trade with Newfoundland, 859 IV.
......, wheat, 609.
......, River. *See* St. Lawrence.
Canawanego, Indian spy, examination of, 621 IV. (*a*).
Cape St. Mary's, 859 IV., 890 V.
Carbery, Earl of. *See* Vaughan, John.
Carbonear, 911 XV.
......, Governor of, 756.
Cardro, Mrs. *See* Hastings.
Careless, William, 451 I.
Carew, Col., 554 I.
Carey, Benjamin, 391 IV.
......, Richard, Agent for Antigua, 182.
......, ..., ..., instructions to, 116, 116 III.
......, ..., ..., letter to, 150 II.
Caribs, the, 709.
......, conveyance of Sta. Lucia by, 554 I.
......, ..., of Dominico by, 554 I.
......, cruelties of, 539.
Carkesse, Charles, Secretary to Commissioners of Customs, letter from, 49.
Carlisle, Earl of. *See* Hay, James: Howard, Charles.
......, Francis, 443 I.
......, ..., arrest of, 459 I.
......, ..., deposition of, 624 (*a*).
Carlisle, pirate ship, 908 II.
Carmarthen, Marquis of. *See* Osborne, Peregrine.
Carolina, 908 II.; *and see* Johnson, Sir N.: Nairne, Thomas.
......, Acts of, 424.
......, Acts, confirmation of, 455.
......, Act *to rectify abuses concerning Indians*, 662.
......, ... *laying duty on furs*, 682.
......, ..., *regulating Militia*, 739.
......, ..., *encouraging the settlement of*, repealed, 296, 655.
......, ... *for establishing religious worship*, repealed, 662.
......, Acts of Parliament, validity of, 662.
......, accounts of, 424.
......, Admiralty Court, Judge of the, 398.
......, Assembly of, 424, 632.
......, ..., address of, 662, 870.
......, ..., instructions to, 455, 456.
......, S., Attorney and Advocate General of, 233, 238, 342, 752.
......, barony in, purchase of, 464.
......, boundary dispute with Virginia, 216 I., 285, 295, 554 I., 655, 765.
......, ..., Commissioners to settle, 285, 297, 333, 402, 412, 678, 771, 813, 828.
......, Charlestown, 411 I., 424, 632, 662.
......, ..., fortification of, 739.
......, S., Chief Justice of, 240.
......, S., cost of living in, 752.
......, N., Council of, 137.
......, ..., President of, 137.
......, S., Council of, 752.
......, S., Council and Assembly of, 419.
......, ..., letter to, 455.
......, Cox, Rebecca, case of, 424.
......, debtors protected in, 216 I., 655.
......, debts of, 739.
......, defence of, 424.
......, ..., neglected by Lord Proprietors, 870.
......, S., Deputies and Council of, letter to, 455.
......, S., deputy appointed by Mrs. Blake, rejected, 455.
......, N., Deputy Governor of, letter to, 675.
......, ..., dismissal of, 137.
......, N., disturbances in, 137, 744.
......, duties on goods, 682, 739.
......, exports of, 739.
......, factions in, 662.
......, French defeat of, 739.
......, French design against, 411, 411 I., II., 615, 632, 643, 673, 840.
......, French encroachments on, 632.

Carolina—*cont.*
......, German Protestant refugees, offer to settle in, 687, 719, 743, 744, 829.
......, Governor of, 295, 455, 456; *and see* Johnson, Sir Nathaniel; Tynte, Edward.
......, ..., instructions of, 368, 368 I., 424.
......, Governor and Council of, letter from, 739.
......, S., Governor, Deputies and Assembly of, letter to, 456.
......, N., Governor, Council and Assembly of, letter to, 744.
......, immigration to, from Maryland, encouragement of, 131.
......, ..., from Virginia, 216, 216 I., 765.
......, imports of, 739.
......, Indians, 632.
......, ..., Appallachy, defeat of, 739.
......, ..., danger from, 609.
......, ..., described, 739.
......, ..., instruction concerning, 424.
......, ... (Choctaws), peace with, 632.
......, ..., slave trade in, 662.
......, ..., slaves in, 739.
......, ... trade with, 554 I., 632, 655, 739; *and see* Virginian traders.
......, ..., war with, 662.
......, inhabitants, numbers of, 739.
......, invasion of, by French and Spaniards, designed, 411, 411 I., II., 615, 632, 643, 673, 840, 870.
......, Landgrave of, 424.
......, ..., created, 675.
......, lands in, grants of, 241, 425, 569, 659, 719.
......, S., lands in, grants of, instruction concerning, 424, 455.
......, Lords Proprietors of, 137, 233, 295–297, 368, 509, 510, 514, 515, 655; *and see* Craven; Carteret; Ashley; Blake; Colleton; Danson; Granville.
......, ..., address to, 870.
......, ..., Charter of, 828.
......, ..., grants of land *etc.* by, 424–426, 569, 719, 735.
......, ..., letter from, 342, 398, 402, 455, 544, 675, 682, 687, 743, 744.
......, ..., letter to, 189, 333, 752.
......, ..., warrants, commissions by, 464, 468, 469, 479, 480.
......, S., manufactures in, instructions concerning, 455.
......, manufactures (woollen etc.) in, 739.

Carolina—*cont.*
......, Militia of, 739.
......, S., Naval Officer of. *See* Hyrne, Edward.
......, Naval Stores in, 739.
......, negroes, imports of, 73.
......, ... in, numbers of, 739.
......, ... required for, 331.
......, petition to be resumed by the Crown, 870.
......, privateers, commissions to, 831 II.
......, produce of, 739.
......, proposal to reduce Mobile, 632.
......, N., Quakers in, 137.
......, quit-rents of, 424.
......, N., Receiver General of. *See* Danson, John; Gale, Christopher.
......, S., Receiver General of, 239; *and see* Ashley, —, Sale, N.
......, Receiver General, warrant to, 426.
......, S., Registrar of, 752.
......, S., rice, 284, 455.
......, St. Augustine, expedition against, 739.
......, ... settlers, need of, 739.
......, shipping of, 739.
......, Secretary of. *See* Craven, Charles; Wiginton, Henry.
......, servants, white in, 739.
......, S., silk, 455.
......, Spaniards, defeat of, 739.
......, ..., design of, against, 673.
......, stores of war for, needed, 739.
......, N., Surveyor General of. *See* Lawson, John.
......, S., Surveyor General of. *See* Broughton, Thomas.
......, S., Surveyors of, security required from, 455.
......, N., town plundered, 571.
......, S., trade of, 456.
......, trade, fur, 24, 739.
......, trade, illegal in, 216 II., 268, 284, 739.
......, trade with Bermuda, 231 IV.
......, trade with Curaçao, 216 II., 739.
......, trade with Indians, 632, 739.
......, trade with Jamaica, 448.
......, trade with Madeira, 739.
......, trade with Massachusetts, 739.
......, trade with New York, 739.
......, trade with Pennsylvania, 739.
......, trade with Portugal, 257, 268, 284.
......, trade with Rhode Island, 230 II., 739.
......, trade with St. Thomas, 216 II., 739.

Carolina—*cont.*

......, trade with Virginia, 216 i., 739.

......, trade with the West Indies, 739.

......, S., Trott Col., case of, 455.

......, N., unsettled state of, 216 i.

......, Virginian Indian traders' goods seized by, 189, 216, 216 i., ii., 295, 341, 342, 682, 765, 765 i., 771.

......, ..., order concerning, 750, 760.

......, ..., report upon, 716.

......, Vice-Admiralty, judge of, 420.

......, whale-fishery of, 424.

Carpenter, Joseph, document signed by, 391 iv.

Cartagena, 56, 69, 451, 463, 525 i.

......, Governor of, 449 i., 785.

......, French squadron reported at, 542.

......, Spanish galleon at, 56, 68, 483, 542, 649, 785, 912.

Carter (?Richard), Barbados, 94, 180 iv. (*m*).

......, Thomas, 890 iii.

Carteret, John, Lord, a Lord Proprietor of Carolina, document signed for, 462, 479, 480, 509, 514, 544, 554, 554 viii., 659, 713, 813.

Carver, John, 453, 466.

Cary, Col. [?Thomas, Lt.-Governor of N. Carolina], complaints from, 744.

Cary, Miles, 216 iii.

Casco Bay, Fort, 391.

Cassa, El Conde de, 69.

Castillo, Sir James de L.', Factor for the Assiento, 525 i.

Castleman, — (Bermuda), 72, 74.

Catherine, ship, 410.

Catoo, Fra. Bath., letter from, 720 i.

Certomanche, M., 60.

Chalmers, William, surgeon, 195.

Chamberlain, Butler, wife of Manasses Gilligan and relict of Sir Willoughby Chamberlain, case of, 126 i., 272 i., 308, 583 xiv–xviii., 694.

......, ..., petition of, 180 iv. (*i*).

......, Dorothy, case of, 583 xx., xxi.

......, ..., deposition of, 583, xxxvi.

......, John (Antigua), 487 ii.

......, Middleton, case of, 380, 583 xx., xxi.

......, Peter, Capt. R.N., 47, 48.

......, Sir Willoughby, estate of, 180 ii., 583 xiv.-xviii. ; *and see* Chamberlain, Butler.

Chamberlen, S., 158 x.

Chamberlayne, John, Agent of the Massachusetts Bay, 30, 58, 691.

......, ..., letter from, 538.

Chambly (Shambley) Fort, 60, 604, 621 iv. (*a*).

......, state of, 621 iv. (*b*).

Chapel Plantation, Barbados, 583 xxxvii.

Chaplain, ——, Deputy Receiver General, Jamaica, 649.

Chaplin, Charles, document signed by, 827 i.

Chapman, William, deposition of, 484 xxiv.

Chardon, P., 411 i.

Charles I., of England, grants of, 554 i.

...... II., of England, 331, 554 i.

...... III., of Spain, 53.

Charlestown, Carolina. *See* under Carolina.

...... (Mass.), 33 iii.

...... (Nevis), 250.

Charles Straits, 60.

Chasse, John, 890 iii.

Cheseldyne, Kenchin, 290.

Chester, H.M.S., 798.

Chester, Edward, senior, Agent for Royal African Co., Antigua, 150, 484 viii., xi., 589 i.

......, ..., account of, 109, 109 iii.

......, ..., bribery by, alleged, 443 i., 532.

......, ..., case of, 443 i.

......, ..., charges by, against Governor Parke, 589 xix.

......, ..., ..., reply to, 116.

......, ..., deposition of, 484 xxiii.

......, ..., document signed by, 443 i., ii.

......, ..., letter from, 484 xl.

......, ..., maintenance order against, 484 xii.

......, ..., murder by, alleged, 531, 597 i., 589 iv., v.

......, ..., riot at house of, 150, 150 iii.-xix., 459 i., 484 xxxi., 589 ii.

......, ..., sales of negroes by, 25, 109, 109 iii., 589 ix., 597 i.

......, ..., sloop of, condemned, 117, 589 i., 484 xv.

......, ..., trade, illegal, by, 117, 150, 182, 193, 484 xv., 589 xii., 597 i.

......, Edward, junr., 150 iii., 443 i., ii.

......, ..., deposition of, 484 xxvi.

......, Robert, 117, 321.

......, ..., letter to, 484 xl.

......, William, senior, 583 xx., xxi.

Chewan, 424.
Chichester, sailings from, 62.
Child, James, 662.
Chirbury, Lord Herbert of. *See* Herbert.
Chnacknawago, 217.
Chochtakuchy, River, 739.
Cholwell, John, 10 I.
Christian, Hugh, 583 II.
Church, Col., 604.
......, Joseph, 391 I.
Churchill, John, Duke of Marlborough, victories at Mons *etc.*, congratulations from the Colonies upon, 65 IV., 142, 329, 597 I., 852.
......, ..., Patron of Governor Parke, 150, 488, 597 I., 852.
......, Sarah, Duchess of Marlborough, 443 II.
Clair, M. du, 529 III.
Clark, —— (Jamaica), 649.
......, —, Deputy Auditor of New York, 10.
......, John, Speaker of the House of Representatives, Mass., documents signed by, 806, 860.
......, Mrs., St. Kitts, case of, 625.
Clarke, —, Clerk of the Council of New York, 10.
......, Robert, Capt., R.N., shot at in Antigua, 529 III., 741, 852.
......, Samuel, Commissioner of Customs, document signed by, 27 V.
Cleland, John, 180 IV. (*i*).
......, William, 126 I., 180 II., VIII. (*a*).
......, ..., document signed by, 180 VIII. (*b*).
Clerk, John Buxton, 487 II.
Clifton, Capt., R.N., letter from, 794 VIII.
......, ..., ... to, 794 V., VI., IX.
Clough, John, deposition of, 908, III.
Coaker, Charles, 756.
Coal, 663.
......, in Nova Scotia, 609 ; *and see* Mines.
Cochran, Richard, 443 I., II.
......, deposition of, 623.
Cock, John, 756, 890 III.
Cockeril, —, 440, 847, 848.
Cockerill, Thomas, 621.
......, ..., letter from, 617.
Codrington, Christopher, senior, the late, 116, 150.
......, ..., late Governor of the Leeward Islands, 5, 180 IV. (*m*), 274, 381, 502, 590.
......, ..., charges against, 532.
......, ..., document signed by, 554 I., LXI.
Codrington, Christopher—*cont.*
......, ..., grievances of, 625.
......, ..., interest of, with Lord Peterborough, 597 I.
......, ..., letter from, 583 LV., LX.
......, ..., money due from, 116.
......, ..., party of, intrigues of, 116, 117, 150, 182, 183, 193, 194, 487, 488, 505, 532, 852.
......, ..., money sent home by, 182, 183, 183 III., 488, 597.
......, ..., title to Barbuda, 443 II., 484 IX., 589 I., 597 I.
......, Thomas, document signed by, 157 I.
......, William, 116 II.
......, ..., document signed by, 150 II., 588, 589, 589 II.
Coffin, Robert, 65 V., 260 I.
Coinage, currency, 157, 229, 375, 391, 399, 663, 879, 880 ; *and see* Plantations, the, *and* under each Colony.
......, Act *for ascertaining rates of*, 157 I., 192, 296.
......, ..., ignored, 621 ; *and see* Acts of Parliament.
......, ... concerning (N.Y.), 157, 375.
.... (Barbados), 156, 156 I., II.
......, clipping of, 10.
Colby, Thomas, letter from, 527 I., 801.
......, ..., document signed by, 801 I.
Cole, Gregory, 890 III.
......, Sir Michael, grant to, Montserrat, 459 I.
......, Richard, 890 II.
......, Thomas, letter from, 49 I.
Coleby, ——, expedition of, 100.
Colesworthy, Richard, 890 III., IV.
Colleton, John, case of, 126 I., 583 XXIII., 616.
......, Sir John, a Lord Proprietor of Carolina, case of (Barbados) 583 XXIII.
......, ..., caveat by, 616.
......, ..., grant of lands, Carolina, 241.
......, ..., document signed by, 233, 237–241, 342, 398, 402, 424–426, 454–456, 462, 464, 468, 469, 479, 480, 509, 514, 515, 554 VIII., 569, 659, 675, 682, 687, 713, 719, 735, 743, 744, 813, 828, 829.
......, Peter, 464.
Collin, Pancras, 890 III.
Collins, Francis, contractor for Masts, N.E., complaints against, 693.
......, ..., licence of, 17, 44, 58.

Collins (Collin), John, Governor of St. Johns, Commander in Chief, Newfoundland, commission *etc.* of, 756, 756 (*b*), 859 I., 890 II., 911 XV.
......, ..., account of taking of St. Johns by, 911 IX.
......, ..., documents signed by, 911 XIII., XIV.
......, ..., letter from, 833.
......, ..., prisoner at Placentia, 890 IV.
......, ..., report upon Placentia, 628, 890 IV., 890 V.
Colonies, the. *See* Plantations.
Columbus, Christopher, 554 I.
Commissioners for stating arrears, letter to, 144.
Commons, House of, memorial to, concerning pirates, 908.
......, ..., orders, resolutions of, 316, 351, 365, 892 I., 908 I., 910.
......, ..., petition to, 892 III.
......, ..., representations, reports, letters to, 330, 331, 361, 373, 913.
Compere, Leonard, Receiver General of Jamaica, 56 I., 799, 827, 835 I.
......, ..., letter to, 783.
Conception Bay, 859 I.
Connecticut, 391.
......, Act of Union proclaimed in, 323.
......, Acts, printing of, 323.
......, Assembly of, 604.
......, boundary dispute with the Massachusetts Bay, 691.
......, Canada Expedition, instructions for. *See* Governor.
......, ..., preparations for, 604, 617.
......, ..., quota for, 196, 387, 475–478, 691, 794, 794 I., II., *p.* 50.
......, coins, currency of, 157 I.
......, Council of, 604.
......, Courts of, 323.
......, Customs Officer, 10.
......, damages caused by French, 60.
......, defence of, *p.* 48.
......, exports of, 323.
......, frontier scouts, 196.
......, Governor of. *See* Saltonstall, G.
......, ..., at Boston, 794.
......, ..., instructions to, concerning expedition to Canada and Newfoundland, 387, 475–478, 604.
......, Governor and Council of, letter from, 323, 328.
......, inhabitants of, numbers of, 323.

Connecticut—*cont.*
......, manufacture, woollen, in, 323.
......, Militia of, 10, 323.
......, Naval Officer, of, 323.
......, Naval stores in, 60.
......, negroes in, 323, 328.
......, Press, lack of in, 323.
......, produce of, 323.
......, Secretary of, 323.
......, shipping of, 323.
......, trade, illegal, in, 10, 323.
......, trade with Mass., 323.
......, ... with New York, 323.
......, ... with Rhode Island, 230 II.
......, ... with West Indies, 323.
Conningham, Mr. (Barbados), 577.
Conte, Peter le, 411 I.
Contee, John, 131.
Convoys, 3, 5, 26, 56, 60, 68, 80, 131, 137, 142, 247, 248, 253, 254, 288 I., 296, 322 I.–III., 346, 355, 396, 417, 445 I., 542, 562 I., 566 I., 567 I., 571, 573, 684, 720, 852, 890 VII.
......, recommended, 216 I.
......, permits for ships to sail without, 280.
......, demanded, 95, 96.
......, French, 339, 451.
......, Spanish, 339.
Cook, Sir Thomas, 109.
Cooke, Giles, deposition of, 386 III., 583 XLVII.
......, Sir John, Advocate General, letter from, 302, 395.
......, ..., ... to, 383.
Cooper River, 241.
Coote, Richard, Earl of Bellomont, late Governor of New York, 118, 554 I., 802.
Copping, Thomas, 625.
Copp(s), William, 583 XIX.
Corbin, Gawen, 216 III.
Corbin, Mr., letter to, 432.
......, Thomas, letter to, 355.
Corlaer's Lake, 60, 621 IV. (*a*).
Cornbury, Lord. *See* Hyde, Edward.
Corrotuck, plundered, 571.
Cortlandt, J. V., document signed by, 157 I.
Corwin, Jonathan, 391 I.
Cosens, Barne, late Clerk of the Council of New York, 10.
Cossly, John, 453, 466.
Costebelle, M. de, Governor of Placentia, 890 IV.
......, ..., letter from, 195 I.
Cotton, packet, 156, 301, 312.
Cotton, Sir Robert, 758, 835 I.
......, ..., letter to, 760, 770, 776.
......, — grandson of Sir R., Proprietor of Lynch Island, 704, 758, 762, 799.

Cotton—*cont.*
......, John, 65 vi.
......, Theophilus, 65 vi.
......, Thomas, 56 i.
......, ..., letter from, 770, 776.
Couchran, Richard. *See* Cochran.
Council, Cabinet, 602.
Courland, Duke of, 554 i.
......, ..., grant of, 554 i.
Coursey, William, 707.
Coventry, H.M.S., capture of, 679.
......, recaptured, 451.
Covetto, Fort, 217.
Coward, William, 657 i.
Cowes, collector of, letter from, 49 i.
Cowper River, 464.
Cowse, James, 126 i., 583 xviii.
......, ..., case of, 583 xxxiii.
Cox, Charles, 132, 160.
......, Rebecca, 424.
......, Samuel, Naval Officer, Barbados, 39, 126 i., 132, 513, 582 ii., 583 viii., ix., xlviii., 694.
......, ..., document signed by, 709 ix.
......, ..., letter from, 95, 503.
......, ..., letter to, intercepted, 583 ii.
......, ..., patent of, 160.
......, ..., protest of, 179.
Coxe, Daniel, 4, 921.
......, ..., charges against, 876.
......, ..., document signed by, 819 i.
Crabb, Lawrence, 5, 116 ii., 117.
......, ..., document signed by, 150 ii.
Cradock, James, 158 ix.
Craggs, James, Commissioner of Ordnance, document signed by, 114, 746.
Cranston, John, 230.
......, Samuel, Governor of Rhode Island, document signed by, 794 i., ii., 922 ii.
......, ..., letter from, 228–230.
......, ..., letter to, 922 i.; *and see* Rhode Island.
Craven, Charles, Secretary of S. Carolina, Commission and instructions of, 713.
......, William, Baron, a Lord Proprietor of Carolina, document signed by 233, 237–241, 342, 398, 402, 424–426, 454–456, 462, 464, 468, 469, 479, 480, 509, 514, 515, 544, 554 viii., 569, 659, 675, 682, 687, 713, 719, 735, 743, 744, 813, 828, 829.
Crawley, David, deposition of, 765 i.
Crevecour, Fort, 60.
Crisafi, Marquis de, *p.* 44.
Crisp, Col., (St. Kitts), 6, 200, 531.
Crofts, John, letter from, 448.
Cromwell, Oliver, seizes Nova Scotia, 554 i.
Crooke, Clement, 182, 531.
Crowe, Mitford, Governor of Barbados, 15, 132, 147, 180 iv. (*l*)., 597 i.; *and see* Barbados, Councillors; Courts of; Chamberlain, Butler; Gordon, George; Mackasgell, N.; Pilgrim, Thomas; Skene, A.
......, ..., Act, Paper, projected, 156, 179, 180; *and see* Barbados, Acts.
......, ..., Act, suspended by, 88, 126 i., 180 ii.; *and see* Holder, John.
......, ..., addresses, petitions, representations to, 96 i., 178, 179, 180 i., ii., iv. (*b*), iv. (*j*), 180 v., 210, 222 i., iii.–v., 248, 502, 502 ii., vi., 513 i., vi., 577, 583, 583 ii., iii., v., xiii., xxv., xxxiii., xxxiv., xliv., lvi., lviii., lxi., 599, 857 i.
......, ..., ... reply to, 180 ii., 502 iii., 583 iv.
......, ..., Assembly, speech *etc.* of, to, 141, 156 iii., 513 i. (*a*), 709, 857 ii., iii.
......, ..., ..., reply to, 513 i. (*b*).
......, ..., ..., addresses to, by, 180 ii., 180 iv., (*j*), 857 i.
......, ..., bribery of, alleged, 126 i., 583 xxxvi.–xl., 513 vii.–ix., 694.
......, ..., certificate by, 180 iii.
......, ..., charges, complaints, against, 124, 126, 126 i., 156, 178, 179, 180 i., 210, 248, 272 i., 317, 352 i., 386, 386 i.–iii., 441 i., 467, 496, 502, 583, 583 ii., *ff*., 653 i., ii., 698 i., 764, 852.
......, ..., ..., enquiry into, 379, 380.
......, ..., ..., delay in answering, 317.
......, ..., ..., reply to, 96 i., 129, 141, 141 i.–iii., 180, 180 ii., iv. (*b*)., 210, 248, 267, 513, 513 i.–ix., 892, 895,
......, ..., ..., reply to, demanded, 320.
......, ..., ..., report upon, 224 i., 694, 700.
......, ..., complaints, charges by, 180, 180 ii.
......, ..., ..., against Custom House Officers, 325.
......, ..., ..., ..., against Naval Commanders, 895.

Crowe, Mitford—*cont.*

......, ..., Councillors, suspended by, 156, 178, 179, 180 i., 324, 352 i., 583, 599.

......, ..., ..., ..., delay in restoring, 179, 380.

......, ..., ..., ..., order concerning, 857 iv.–vii. ; *and see* Barbados, Councillors, the Three.

......, ..., Courts, conduct of, cases in, 179, 180 ii., 583 xiv., xxiv., *ff.*, 664, 681, 677 ; *and see* Barbados, Courts.

......, ..., document signed by, 892 i.

......, ..., Envoy to Spain, 180 ii.

......, ..., Grand Jury, 210.

......, ..., house-rent *etc.* of., 126 i., 210, 274, 583 xi.

......, ..., instructions of, 317, 582.

......, ..., justices changed by, 583, 583 vi., vii., 698 i.

......, ..., letter from, 13, 94–96, 124, 129, 141, 180, 324, 396, 396 i., 496, 513, 586, 684, 709, 748, 749, 857, 892.

......, ..., letter to, 63, 88, 164, 210, 248, 370, 379, 380, 494, 502, 583 lix., lx., 618, 642, 729, 895.

......, ..., Militia, changes in, by, 179, 180 ii., 694, 698 i

......, ..., Naval Officer, appointment of, 39, 39 i., ii.

......, ..., ..., complaint by, concerning, 895.

......, ..., orders, warrants *etc.* by, 583 xiv., xvi., xliii., lvi., lviii.

......, ..., ..., to, 153, 317, 320, 502, 582.

......, ..., Ordinary, illegal conduct as, 126 i.

......, ..., packet detained by, 513.

......, ..., presents by, 124, 248, 583 xi.

......, ..., ..., to, 502, 895.

......, ..., recall of, 694, 696, 723, 764, 857.

......, ..., reprimanded, 88, 380, 618, 642, 677, 837, 895.

......, ..., Oriana, wife of preceding, 694,

......, ..., ..., bribery of, 583 xxxvi. ; *and see* Chamberlain, Butler ; Willoughby.

Crown, William, 554 i.

Crown, H.M.S., 720, 785.

Crump, Nathaniel, 443 i., ii.

Cryer, Benjamin, 513 vii.

......, Isabella, deposition of, 513 vii., viii.

Cuba, 542.

......, flag of truce, from, 227.

......, Governors of, 785.

Cullyford, William, 66.

Cummings, Archibald, 348 i.

Customs Officer, Newfoundland, 119, 348 i.

Cunditt, Elias, 890 iii.

Cunnitt, Nicholas, 890 iii.

Curaçoa, 116, 230 ii., 279, 411, 411 i., ii., 484 xxii.

......, trade with, 10, 117, 150, 216 ii., 230, 589 i., 597 i., 625, 739, 831 ii., 872.

Cushing, John, 391 i.

Cussate River, 632.

Cussy, M. de, Governor of Hispaniola, 554 i.

Custom House, the, 5, 24.

Customs, H.M., 5, 55, 58, 331.

......, disputes concerning, in Jamaica, 720, 872.

......, Officers, collectors of, 10.

......, ..., complaints against, 320, 720.

......, ..., Mass., 391.

......, ..., New Jersey, 11.

......, ..., Rhode Island, 230.

......, ..., return by, 283.

......, Commissioners of, 176, 296, 489, 643, 896, 898, 899 ; *and see* Carkesse, Charles. ; Savage, Richard.

......, ..., appointments by, 180.

......, ..., letter, report, from, 27 v., 661.

......, ..., return by, 27 vi.

Cutts, John, 65 v.

Czar. *See* Russia.

D

Daffy, Samuel (Bermuda), trial of, 72, 176, 176 iii., 643.

Daly, Denis, 524 i.

......, John, 524 i.

Dam, Rip van, 849.

......, ..., document signed by, 157 i.

Danes, trade with, 150, 182.

......, ... Leeward Islands, 484 xxi., xxii.

......, ... Montserrat, 192, 193.

Dann, Stephen, 756.

Danson, John, a Lord Proprietor of Carolina, document signed by, 233, 237–241, 342, 398, 402, 424–426, 454–456, 462, 464, 468, 469, 479, 480, 509, 514, 515, 544, 554 VIII., 569, 675, 682, 687, 713, 719, 735, 743, 744, 813, 828, 829.
......, John, Receiver General, N. Carolina, Commission of, 514.
......, ..., ..., instructions of, 515.
Dariell, 720 I.
Darien, 60.
Darrell, George, deposition of, 231 I.
Darroch, Archibald, document signed by, 583 XXIX., XXX.
Dartmouth, Mass., assessors of, imprisoned, 391.
......, Baron. *See* Legge, William.
Davenant, Charles, Dr., letter to, 418, 427.
Davenport, Francis, 578, 921.
Davidson, Patrick, 583 XLVI.
Davis, Charles, 152.
......, James, 573 II.
......, Richard, Capt. R.N., letter to, 794 IX.
Deacon, Ann, 583 XLV.
Deacon, George, 921.
Dean, Christopher, 194 II.
Dearlove, Peter, pirate, trick of, 908 II.
Dearsfoot, Indian, 632.
Deble, Thomas, 756.
Decosty, Jean, 487 II.
Dee, Duncan, junr., 741.
Deerfield, 391; attack on, 621 IV. (*c*).
Delafaye, C., letter from, 842.
Delamaine, Worth, 142.
De Lancey, (Stephen), 10 I.
Delanedy, Stephen, document signed by, 157 I.
Delaranza, Pedro Joseph, letter from, 720 I. (*b*).
Delaware, River, 11, 391.
Delaware, the Three Lower Counties, 32.
Demaschault, M., Governor of the French Leeward Islands, 909 I.
Denmark. *See* Danes.
......, Prince George of, Lord High Admiral. *See* Admiral, Lord High.
......, ..., reported death of, 396.
Dennett, Robert, document signed by, 27 III., IV.
Dennis, Larron, Capt., 890 II.
Denys, M., letter from, 554 I., VII.
De Peyster, Abraham, Treasurer of New York, 10 I., 617, 802.
Deptford, H.M.S., 33, 391.
Deputies, *v.* Patent Offices.
Detroit (Le Destroit), 107.
Dewitt, Thomas, 487 II.
Diamond, H.M.S., 741, 852, 865.
Diamond, Richard, 242 I.
Dickinson, John, 231 I.
Diharce, Peter, petition of, 305, 372 I., 406.
Dikes, William, arrest of, 459 I.
Dockwra, William, letter and petition from, 819.
......, ..., document signed by, 819 VII.
Dodson, Capt., privateer, commission of, 597 I.
Dolphin, H.M.S., 396.
......, sloop, 411 II.
Dominica, 709.
......, allegiance of, 396.
......, conveyance of, 554 I.
......, English claim to, 539, 554 I.
......, negroes, runaway at, 539.
......, neutrality of, suggested, 554 I.
......, raided by Jamaican privateer, 597 I.
......, representation concerning, 554 I.
Donovan(t) (Dunavan) Darby, Capt., 484 XXI., 597 I., 625.
Dorne, John, 583 VII.
Douglas, James, Duke of Queensberry, Duke of Dover, 602.
Douglas, James, Earl of Morton, proposal for reducing pirates at Madagascar, 575, 620, 620 I.
Dover (N.H.), 19.
Dover, Duke of. *See* Douglas, James.
Dowding, Thomas, 583 XXVIII.
Downes, Richard, Speaker of Assembly, and Judge, Barbados, 96 I., 141 III., 179, 180 II., 222 I., 274, 583 LVI.–LVIII.
......, ..., complaint against, 907 I.
......, ..., deposition of, 180 IV. (*m*).
......, ..., dismissal of, 664, 681, 695, 892.
......, ..., document signed by, 502.
......, ..., imprisoned for high treason, 180 II.
......, ..., petition of, 651 I.
Doyly, Capt., 597 I.
D'Oyly, Cope, 650 I.
......, Robert, petition of, 650 I., 654, 726.
......, ..., report upon, 692.
Dragon, H.M.S., 476, 604, 794 X., XII., 798, 803.
Drew, John, 890 III.
Drift, Adrian, 417.
Ducasse, Mons., 56, 68, 87, 96, 540, 597 I., 852.

Dudley, Joseph, Governor of Massachusetts Bay and New Hampshire, 2, 2 I., 17, 17 II., 24, 65 III., 123, 185, 230, 260, 260 I., 284, 533 I., 794 IX., 914 I.; *and see* Bridger, J.
......, ..., address against, 391.
......, ..., ..., in favour of, 65 IV.–VI.
......, ..., ..., Assembly, Mass. reply to grievances of, 33, 33 III.
......, ..., Bahamas, instruction concerning, 744.
......, ..., Canada and Port Royal, expedition against, 391, 498; *and see* Canada expedition.
......, ..., ..., instructions concerning, 387, 476–478.
......, ..., Canada, Governor of, remonstrance with, 391.
......, ..., case of Col. Vetch and Borland, 391.
......, ..., complaints against, 33, 33 III., 58, 65 IV., 422, 663.
......, ..., correspondence of, 151, 391, 417.
......, ..., ..., instructions concerning, 58.
......, ..., document signed by, 392 I., 794 I., II., 860, 922 II.
......, ..., duties of, 391.
......, ..., instructions to, 387, 391, 476–478, 794.
......, ..., letter from, 33, 55, 79, 151, 155, 266, 391, 392, 394, 417, 689, 691, 794, 794, V.–VII., IX., X., 797, 798.
......, ..., letter to, 30, 58, 260 I., 292, 354, 430, 431, 670, 794 VIII., XI., XII., 922 I.
......, ..., praise of, from N.H., 458.
......, ..., proclamations by, 391 VI.–VIII.
......, ..., proposal by, for Scottish settlement, 391, 392.
......, ..., proposal by, for settling Nova Scotia, 392.
......, ..., Rhode Island, relations with, 391.
......, ..., warrant signed by, 17 I.
......, Sir Matthew, Commissioner of Customs, document signed by, 27 V., 661.
......, Theophilus, 65 V.
Duer, John, 443 I., II.
Du Gue, M., Admiral, 80.
Dumma, ——, 25, 150.
Dummer, ——, memorial by, 100.
Dummer, Edward, letter from, 69, 445, 679, 722.
......, ..., letter to, 445 I.
Dummer, Edward—*cont.*
......, ..., his service of West India packet boats, 135, 255, 301, 312, 589 XXVII.; *and see* packet boats.
Dummer, Thomas, letter from, 683.
Dunavan, Derby, Capt. *See* Donovant.
Duncomb, Geffrey, 484 XI., 623.
......, ..., deposition of, 484 XIX.
Duning, Robert, 443 I., II.
Dunkirk's prize, H.M.S., 68.
......, capture by, 174.
......, wreck of, 174.
Dunkley, ship, 752.
Dunn, Alexander, 487 II.
......, ..., deposition of, 150 XIII.
Duport, (?F.), 187.
Dursley, galley, 922.
Dursley, Lord. *See* Berkeley, James.
Du Southsay, Mrs. (St. Kitts), 626.
Dutch. *See* Holland.
Dutch West India Company, Directors of, letter to, 246, 281, 281 I., II., 403, 600.
...., at Tobago, 554 I.
Dyer, William, 17 II.

E

Eastern Country, the, *p.* 49.
Edgley, Capt., 72.
Edwards, Henry, 756.
Egerton, Charles, Hon., 575, 583 VI.
......, ..., proposal of, for reducing pirates, 620 I.
Egginton, John, case of, 583 XX., XXI.
E., H. (Newfoundland), letter from, 348 I.
Elbridge, John, letter from, 619, 619 I.
Elding, Col., Bahamas, 870.
......, Mrs. Read, murder of, 448.
Eleat, John, 756.
Eleuthera, Isle of, raid on, 448.
Elizabeth, galley, 107.
Elizabeth, Queen, 554 I.
Elleis, Robert, 9, 335.
Elliott, John, 487 II., 890 II., III.
Emerson, John, 65 VI.
Emery, James, 17 II.
Emra, James, grievance of, 625.
Enfield, boundary dispute, 691.
Ennalls, Thomas, 290, 707.
Enterprize, H.M.S., 660, 794, 794 XI.
Epes, Daniel, 391 I.

Erle, Thomas, Commissioner of Ordnance, document signed by, 306.
Esopus, 10 I.
Esquimeaux, the, 60.
Estrée, Comte de, 554 I.
Estridge, Joseph, 9, 319.
Evance, Stephen, Governor of the Hudson's Bay Company, letter from, 500.
Evans, Evan, document signed by, 27 II.
Evans, John, Lt.-Governor of Pennsylvania, 717.
Evans, Jos., document signed by, 27 II.
Exeter, 19.
Exuma, 176 I.
......, French at, 870.
......, raid on, 448.
......, Spaniards at, 870.
Eyre, R., Solicitor General (Oct. 1708), letters, reports from, 177, 507, 507 I, 550, 553, 692, 747 V., 753, 851, 867.
......, ..., letters, references, warrants to, 170, 177 I., 218, 344, 549, 654, 740, 751, 818, 856, 926.
Eyton, Richard, 693.

F

Fairfax, Thomas, Baron, 908 II.
Falmouth, H.M.S., 391, 416, 803.
Falmouth Harbour, Antigua, 443 II.
Fancy, John, 756.
Fane, George, Capt. R.N., complaints against, 10, 86, 88.
Farmer, John, case of, 126 I., 180 II., 583 XXXIII.
Farmer, ——, Col., 629.
Farmer, William, petition of, 302.
Fauconnier, P., letter from, 847.
......, ..., grants of lands to, 848.
Fawler, J., Assistant Secretary at the Admiralty, letter from, 48.
Feild, James, Minister, Antigua, 182.
......, ..., case of, 484 XIII.
......, ..., charges etc. against, 741, 852.
......, ..., deposition of, 623.
Fermose, Harbour of, Newfoundland, 554 I.
Ferryland, 859 I., 911 XV.
......, fishing admirals of, certificate by, 158 IX.
......, Governor of, 756.
Ferryland—*cont.*
......, Port of, attack upon, 554 I., 890 II.
Fiall, Island, 230 II., 323, 908 II.
Fidele, French man of war, 859 IV., 890 II.
Field, James. *See* Feild.
Finch, William, 524 I.
Finney, John, document signed by, 27 II.
Fisher, Benjamin, document signed by, 283, 283 I.
Fiske, John, Rev., warrant issued against, 391, 391 IV.
Fitzhugh, William, 216 III.
Five Nations, the. *See* Indians.
Flanders, lines in, 597 I.
Fletcher, Henry, 484 XXXII.
......, ..., case of, 589 VIII.
......, John, deposition of, 157 VIII.
Florida, 632.
......, Gulf of, 270 I., 411 II.
Florida, Count de Bega, Spanish Rear Admiral, 56 II.
Floyer, Charles, Lt.-Col., 193.
......, ..., petition of, 591.
Flushing, N.Y., 252.
Ford, Thomas, 890 III.
Forster, George, 583 VII.
Forster, Thomas, 321.
Fort Ann, N.Y., 604.
......, Louis, 60, 217.
......, William and Mary. *See under* New Hampshire.
Foster, John, 391 I.
Foulerton, Thomas, deposition of, 364.
Fowler, ——, (Nevis), 187.
Fox, Edward, formerly Lt.-General of the Leeward Islands, 836.
France and the French, 19, 56, 249, 279, 340, 387, 388, 391, 424; *and see* Canada; Ducasse; Hispaniola; Indians; Leeward Islands; Martinique; Mississippi; Montreal; Newfoundland; Nova Scotia; Placentia; Port Royal: Treaty.
......, attack by, from Canada, threatened, 33, 196, 615.
......, attack by, upon Carolina, designed, 411, 411 I., II., 615, 632, 643, 673, 840, 870.
......, attack Ferryland, 890 II.
......, attack Isle of Boys, 859 I.
......, attack by, upon Jamaica, designed, 142, 227, 382, 720, 872.
......, attack by, upon Leeward Islands, expected, 873.
......, attack New England, 260, 391, 533 I.
......, attack New Hampshire, 60, 392, 393.

France and the French—*cont.*
......, attack by, upon Virginia, threatened, 421.
......, attack upon, proposed, 19, 58; *and see* Vetch, Col.
......, in the Bahama Islands, 615, 643, 794 IX., 870.
......, ..., cruelty of, 448, 472.
......, ..., raid on, 448, 606.
......, captures by and from, 500, 512, 519, 520, 522, 546.
......, cartel with, 116.
......, convoys, 68, 339, 451.
......, at Cuba, 785.
......, damages claimed from, by Hudson's Bay Company, 500, 520, 522, 523.
......, ..., caused by in America, 60, 221 I.
......, defeat of, Carolina, 739.
......, deserters, 107.
......, at Dominica, 539.
......, encroachments and captures by, 500, 512, 516, 517, 519, 520, 522, 523, 540, 546-548, 554 I.
......, fishery of, 60.
......, flags of truce, 589 XIV., XVI.
...... flag of truce seized, 909 I.
......, forces in Canada, 107, *p.* 45.
......, General, 60.
......, Indians of Carolina, attempts to seduce by, 632.
......, Indians, Five Nations of, seduced by, 60.
......, Indians, intermarriage with, 217; *and see* Indians.
......, and Jacobites, 116 IV.
......, Mississippi settlements, 544.
......, Mowila Bay, settlement at, 632.
......, Naval Squadron, at Cartagena, 542.
......, ..., at Martinique, 443 II.
......, ..., engagement with, off Porto Rico, 451.
......, ..., movements of, 68, 80, 785, 912.
......, Navy, 195; *and see Fidele*; *Galliard*; *Valeur.*
......, negroes, runaway, harboured by, 539.
......, neutrality agreement with New York, 458.
......, and New Hampshire, 60, 65 IV., 185, 392, 393.
......, numbers of, in America, 60.
......, Peace Negotiations, claims, etc., 534, 535, 535 I., 539, 540, 544, 546-548, 554 I., 632, 794 II., III., 806.
......, pirates, offers of pardon to, 785.
......, at Placentia, account of, 859 IV.; *and see* Placentia.
France and the French—*cont.*
......, of Port Royal, 65 II.; *and see* Nova Scotia, Port Royal.
......, prisoners, 673.
......, ..., in Newfoundland, 859 I.
......, ..., exchange of, 195, 195 I., 909 I.
......, privateers, 10, 19, 26, 33, 56, 60, 116, 123, 227, 339, 421, 451, 533 I., 534, 535, 540, 597 I., 609, 667 I., 691, 720, 803, 873, 890 II., 912.
......, ..., burnt, 56 II.
......, ..., captures by, 174, 255, 870.
......, ..., English, complaint against, 195 I.
......, ..., cruelties of at the Bahamas, 176, 176 I., II.
......, ..., driven to America 421.
......, ..., losses inflicted by, 451, 720, 720 I., 794 II., III.
......, prizes taken by, 10, 174, 255, 339, 339 I., 870.
...... Protestants, at Newfoundland, 223 I.
......, rewards given for scalps by, 19, 30, 391.
......, St. Eustatia, captured by, 865, 873.
......, St. Johns, captured by, 259, 345, 348 I., 461, 859 I., 890 II.; *and see* Newfoundland.
......, in St. Kitts, 540.
......, at Sta. Lucia, 539.
......, shipping, duty on, 535.
......, ship taken, 88, 174, 180, 396, 542, 597 I., 649, 748, 872.
......, tobacco, import of, freed, 295.
......, at Tobago, 539, 554 I.
......, trade with, 60, 181, 182, 391.
......, trade, illegal with, 116, 148, 150, 193, 532.
......, trade with Albany, 617.
......, ... Ireland, 5, 209.
......, ... Jamaica, 649.
......, ... South Seas, 56.
......, ... Spaniards, 632, 872.
......, ... Spanish West Indies, 174, 174 I., 573.
......, ... West Indies, 381.
......, Treaty of Ryswick, infractions of, by, 522, 523.
......, Turks Islands, captured by, 448.
Frankland, packet boat, 301, 586, 722.
Freame, ——, 908 II.
Freeman, Arthur, 563.
......, ..., letter from, 541.
......, Mary, 869.
......, Robert, 541.
......, ..., case of, 869.
......, ..., petition of, 869, 869 I.

French, the. *See* France and the French.
......, Jer. 487 II.
......, John, 193.
......, ..., deposition of, 484 XXII.
......, Joseph, deposition of, 589 X., XXII., 597 I.
Frere, John, 244, 273, 287, 380.
......, ..., document signed by, 513 III., V., 583 XVII.
......, ..., letter from, 242.
......, ..., testimonial to, 242 I.
......, Tobias, father of preceding, 210, 242.
Friends Islands, engagement off, 56 II.
Frontenac, Fort, 60.
Frost, Charles, 17 II.
Fry, John, 443 I., II.
Frye, Samuel, 443 I., II.
Fry, Col. (Montserrat), 109.
Frye, William (Montserrat), 524 I.
Fullerton, Thomas, 286.
......, ..., letter to, 892 III.
Fur trade, the, 655, 794 II; *and see* Trade.
Fuss, James, 890 III.

G

Galdy, Lawrence, 657 I.
Gale, Christopher, Receiver General of N. Carolina, instructions to, 743.
Galleons. *See under* Spain.
Galliard, French man of war, 890 II.
Gallifait, M., Lt.-Governor of Montreal, 60.
Gamble, George, 116 I., 589 I., 597.
......, ..., document signed by, 588, 589, 589 II.
......, ..., deposition of, 589 III., XXI., 597 I.
Gambling, B., 65 V.
Gandy, —, 445 I.
Gardner, John, 583 XXVIII.
Gardner, Robert, Capt., agent for Regiment at Jamaica, 451, 872.
......, ..., letter from, 8.
......, Thomas, 578, 924 I., 930.
Garland, George, 756.
Garland, H.M.S., 137, 253, 261, 295, 608, 655.
Garnet, Rowland, Dr., 484 XV.
......, John, 194 II.
......, ..., document signed by, 183 III.
Garrett, Amos, 131.
Gaschet, Daniel, petition of, 909 I.
Gateward (Gatewood), Thomas, 150 III., 459 I., 589 I., 624 (*a*).
......, ..., deposition of, 150 V.
......, ..., document signed by, 487 II.
Gazette, the, 142.
George, Prince of Denmark. *See* Denmark, Prince George of.
German Protestant Refugees, from the Palatinate, 1, 14, 120, 366, 470, 841–843.
......, accounts, receipts of, 42, 581.
......, arrivals of, 527 I.
......, distress of, 491, 495, 495 I., 527 I.
......, Minister of, provision for, 38; *and see* Kocherthal.
......, naturalization of, 704, 705, 835 I.
......, names and numbers of, 495 II., 537, 551, 592.
......, provision for, 1, 184, 501, 504, 536, 538 I., 561, 572, 593, 594, 680, 742, 743, 744, 754, 842 I.
......, settlement of, Commissioners for, 657, 667 I., 680, 737 I.
......, settlement of, proposed in Carolina, 687, 719, 743, 744, 829.
......, ..., in England, 485, 511, 527, 527 I., 549, 550, 552 I., 570 I., II., 574, 585, 685 I.
......, in mines, 526, 552 I., 595.
......, ..., report upon, 553.
......, settlement of, proposed, in Jamaica, 657 I., 665, 699, 704, 737 I.–VI., 742, 754, 758, 762, 763, 770, 775, 776, 783, 788, 799, 801, 801 I., 822, 823, 824, 826, 827, 835, 835 I., II., 872.
......, ..., report upon, 667 I.
......, settlement of proposed, in New York, 1, 705, 710, 881, 882, 885, 891 I.
......, ..., contract of, 915–918 I., 923.
......, voyage of, to New York, 252.
......, ..., estimate of transport of, 1.
......, settlement of proposed, in Virginia, 705.
Germans, in Pennsylvania, 932.
Germany, potash and pearl ash export, 27 VI.
Gerrard, Sir Samuel, letter from, 484 XXXI.
Gerrish, Richard, 65 V.
......, W., 524 I.
Gibbes, Robert, case of, 126 I., 180 IV. (*h*), 694, 739.
......, ..., bribery by, 583 XXXVII.-XL.

Wt. 11522. C P 38.

Gibbins, ——, sloop of, 870.
Gibbs, Robert, Chief Justice of S. Carolina, commission of, 240.
Gibbs, Stephen, 583 xxviii.
Gibson (Barbados), 583 xlii.
Gifford, Anthony, 911 ix.
Gig(g)les, William, deposition of, 554 i., v.
Gilbert, Allen, 443 i., ii.
......, Sir Humphrey, 554 i.
......, Richard, deposition of, 231 i.
Gilleber, ——., letter from, 411 i.
Gilles (—Gulch—Hilg), 470.
......, petition of, 171 i.
......, wife of, 184.
Gillibrand, ——, 222.
Gilligan (Gillingham), Manuel Manasses, 126 i., 134 i., 242 i., 694, 892; *and see* Chamberlain, Butler.
......, ..., petition of, 180 iv. (*i*), 677.
Gillison, Nicholas, 17 ii.
Gillman, Henry, 65 v.
......, James, 65 v.
......, John, 65 v.
Givehene, H., 443 i.
Glanville (Glanuch), William, 443 i., ii., 531, 589 iv., 597 i.
Glanuch, W. *See* Glanville.
Globe, ship, 252.
Glover, ——, 137.
......, complaints from, relating to Carolina, 744.
Goar, Thomas, 9, 187.
Godfrey, Thomas, 126 i., 583 xlv.
......, deposition of, 180 iv. (*c*).
Godman, Wm., deposition of, 108 iv. (*c*).
Godolphin, Sidney, Baron Godolphin of Rialton, Lord High Treasurer, 142; *and see* Treasurer, Lord High.
......, ..., letters, reports to, 21, 27 v., 161, 304, 437, 527 i., 553, 560, 594, 613, 661, 685 i., 704, 705, 720, 774, 822.
......, ..., patron of Governor Parke, 488.
......, ..., report by, 59.
......, ..., warrant signed by, 44, 561, 572.
Goodbed, Richard, 890 iii.
Gookin, Charles, Capt., Lt.-Governor of Pennsylvania, 37, 888; *and see* Canada expedition; Pennsylvania.
......, ..., H.M. Approbation of, 12 i., 32.
......, ..., attends Conference at New York, 604.
......, ..., letter from, 580.
......, ..., letter to, 796, 839, 843.
......, ... security given by, 31, 32.
Gordon, George, Provost Marshal of Barbados, 338, 559, 568, 857 i.
......, ..., leave of absence, 153.
......, ..., order concerning, 568, 582.
......, ..., petition of, 326, 423, 907 i.
......, ..., Thomas, Chief Justice of New Jersey, 400, 924 i., 930.
......, ..., document signed by, 440.
......, ..., letter from, 935.
......, ..., suspension of, 935.
Gore, Capt. R.N., 131.
Goree, Giles, 890 iii.
Gosling, Thomas, 350.
Goss, Charles, 487 ii.
Goss, Giles, 756.
Gosse, John, 487 ii.
Goswill, Isaac, document signed by, 349.
Gough, ——, agent for Lord Lovelace, 401.
Governeur, Abraham, 802.
Governors of Plantations; *see under* Plantations, *and under* each Colony.
Grace, William, Clerk of Assembly, Barbados, 96 i., 857 i.
......, ..., document signed by, 518 i., 583 x.
Gracedieu, Sir Bartholomew, 452 i., 540, 657 i., 667 i.
Grachy, Thomas, deposition of, 911 x.
Graffenried, Christopher de, Landgrave, Carolina, 743.
......, ..., grant of lands to, 659, 675, 719.
......, ..., letter from, 639.
......, ..., petition of, 601 ii.
Grant, William, 274, 502.
Granville, Sir Bevil, late Governor of Barbados, 180 ii., 513 i (*b*), iv., viii., 597 i.
......, ..., charges against, 96 i., 141 iii., 248.
......, ..., house-rent of, 274.
Granville, Lord, late Lord Palatine of Carolina, 510.
......, Lady, 510.
Graves, John, letter to, 448, 606.
Gray, Sir James, 575.
......, Mathew, 583 xxx.
Grear, William, 487 ii.
......, ..., case of, 589 viii.
Great Britain, sloop, case of, 484 xv., xxxviii.
Green, Alexander, 890 iii.
......, Isaac, 65 v.
......, Jacob, 65 v.
......, Capt. (N.H.), 260 i.
Greenberry, Charles, 707.

Greenfeild, Thomas, 131, 707.
Greenway, John, case of, 484 xiii.
......, Katherine (Waller), case of, 484 xiii.
Greenwich, H.M.S., 180, 684.
......, prize taken by, 88.
Greeny, Thomas, 890 iii., iv.
Gremot, Peter, 673.
Grevill, Sylvanus, 107.
Grey, Henry de, Marquis of Kent, proposal for settling German Protestants, 570 i., ii., 585.
......, ..., Agent of, 574.
Grey, Ralph, Baron of Werke, late Governor of Barbados, 554 i.
Grey, Capt., R.N., 597 i., 909 i.
......, (Barbados), case of, 126 i., 180 ii.
......, Thomas, Earl of Stamford, Commissioner of Trade, 348, 350, 440, 847, 848.
......, ..., letter to, 179.
......, ..., salary of, 877, 884.
Gross, John, 890 ii.
Grove, John, 911 ix.
Guadeloupe, 150, 540, 597 i., 865, 909 i.
......, illegal trade with, 193.
Guajaquil, English privateers at, 720 i.
Gualtier, Nicholas, petition of, report upon, 279.
Guardland, H.M.S. *See Garland.*
Gubbaile, Nathaniel, trial of, 17 ii.
Guernsey, H.M.S., 322 i., 666, 794 x., xii., 798.
Guinea, 73.
......, negroes from, 10.
Gully, Timothy, 223 xv.
Guy, John, 554 i.

H

Haddon, John, 487 ii.
Haford, Jeff., document signed by, 283, 283 i.
Haggarth, Othniel, 583 vii.
Hall, Hugh, deposition of, 583 xlv.
......, John, 131, 258, 707.
......, Joseph, Capt., privateer, commission of, 597 i.
......, ..., deposition of, 484 xx.
......, William, 921.
Hallett, John, 108, 136, 147, 180, 210, 513 iii., 577, 892 ii.
......, ..., document signed by, 513 iii., v.
Ham, John, killing of Spaniards by, 443 ii., 589 i., 597 i.
Hamburgh, trade of, 391.
Hamilton, Lord George, Earl of Orkney, Governor of Virginia, Commission and Instructions of, 897, 920, 920 i., 926.
......, John, 116 ii.,
......, ..., document signed by, 150 ii., 588, 589, 589 ii.
......, Marquis of, grant of, 554 i.
......, Walter, Lt.-Governor of Nevis, petition of, to be Lt.-General of the Leeward Islands, 736 i.
......, ..., ..., report upon, 836.
......, ..., testimonial, 811.
......, William, arrest of, 459 i.
Hampton (N.H.), 19, 260 i.
Hancock, William, 890 iii.
Handasyd, Thomas, Brigadier, Governor of Jamaica, 139, 146, 357, 452, 781.
......, ..., address, report to, 279, 451 i.
......, ..., commended by Sunderland, 167.
......, ..., escheats, instructions to, concerning, 67, 87, 103, 385, 408; *and see* Jamaica; Whitchurch.
......, ..., additional instructions to, 573, 858.
......, ..., letter from, 56, 57, 68, 78, 81, 142, 143, 174, 202, 213, 227, 339, 451, 452 i., 453, 483, 499, 542, 543, 573, 635, 636, 649, 720, 731, 785, 845, 871, 900, 912.
......, ..., letter to, 53, 87, 111, 133, 142 i., 167, 208, 247, 378, 382, 408, 447, 471, 473, 640, 669, 727, 872.
......, ..., perquisites of, 720.
......, ..., regiment of. *See* Jamaica.
......, ..., relief of, request for, 227, 451, 649, 785, 912.
......, ..., salary of, arrears of, 720.
......, ..., secret service paid for by, 142; *and see* Jamaica.
......, ... seizure of ambergris by, 845.
......, ..., suspends Totterdale, 142; *and see* Totterdale.
Handen, Henry, document signed by, 157 i.
Handes, ——, 831 ii.
Handlers (traders), 617.
Hannay, George, 362–364.
......, James, 362, 363.
Hannis, Joseph, 583 vii.
Hansen, H., 621 iv. (*a*).
Hanth, Thomas. *See* Trant.

Hantenaas, Hans, letter from, 246.
Harbin, ——, 94.
Harbour Grace Island, 756.
Harcourt, Sir Simon, Attorney General (1708), report by, 131.
......, ..., letters, references, instructions to, 169, 173, 218, 344.
Harford, Capt. (Bermuda), 389.
Harland, Robert, 158 x.
......, ..., document signed by, 158 vii.
Harley, Robert, Secretary of State, 597.
Harmsworth, Robert, 63.
Harris, ——, H.M. seal-cutter, 40.
......, Richard, 657 i.
......, ..., letter from, 540.
......, ..., Memorial by, 554 xiv.
......, ..., letter to, 787.
......, Rupert, 890 iii.
......, Thomas, 911 ix.
Harrison, John, 4, 104.
......, ..., complaint against, 819 x.
Harrox, William, deposition of, 150 xv.
Harry, ——, master of ship, 741, 852.
Hortford, Isaac, 443 i., ii.
Hartnoth, Richard, 158 ix.
Hartt, John, 524 i.
......, Samuel, 65 v.
Harvey, Samuel, deposition of, 176 ii.
Harwood, William, 529 iii.
Hasings. *See* Hastings.
Haskett, Col., 908 ii.
Hastings (Hasings, Cardro), case of, 116, 367; *and see* Parke.
......, ..., deposition of, 484 x.
Hathorne, John, 391 i.
Havana, the, 68, 87, 202, 339, 411 ii., 449 i., 473, 483, 542, 649, 785, 912.
......, Governor of, 785.
......, Spanish galleons at, 451.
Haverhill (Mass.), attack upon, 391, 391 vi.
Havers, Robert, 321.
Hawdon, Michael, document signed by, 157 i.
Hawkins, Thomas, 756.
Hay, James, Earl of Carlisle, grant of, 554 i.
Hay, George, 583 lvi.
Hay, Rebecca, petition of, 583 lvi.
Hayman, Henry, letter from, 890 vii.
......, ... letter to, 890 ix.
Hays, George, Deputy Marshal, Barbados, 362–364.
Hearl. *See* Heart.
Hearle, John, trial of, 17 ii.
......, John, junr., trial of, 17 ii.
Heart, Digor, *or* Hearl, Digori, 890 ii.
......, ..., description of Placentia by, 890 vi.
Heathcote, Caleb, letter from, 70.
......, John, 754.
Hector, H.M.S., 5, 625, 684, 709.
......, prize of, 597 i., 909 i.
Hedges, Charles, Deputy Secretary of the Leeward Islands, 5, 590.
......, Sir Charles, Secretary of the Leeward Islands, 5, 531, 590, 864, 878.
Helden, John, 193, 194 vi.
......, ..., deposition of, 194 vi.
Hemp, cultivation of. *See* Naval Stores.
Hendly, Samuel, 890 iii.
Hendrix, 421.
Henry VII., King, 554 i.
...... VIII., King, 554 i.
Henteyne, Anthony, 487 ii.
Herbert, Katherine, petition of, 126 i., 180 iv. (*g*), 585 xxxiii.
Herbert, Henry, Baron Herbert of Chirbury, Commissioner of Trade, 350.
......, Samuel, 583 xxxiii.
......, Thomas, Earl of Pembroke and Montgomery, Lord High Admiral. *See* Admiral, the Lord High.
Hessen, John, deposition of, 554 i.
Hewes, Samuel, 487 ii.
Heysham, Robert, 94, 242 i.
......, William, agent for Barbados, 94, 219, 364, 502.
Heywood, Peter, Chief Justice of Jamaica, 451 i.
Hide, Thomas, deposition of, 892 ii.
Higginson, John, 391 i.,
......, ..., memorial of, 609.
Hilg, M. *See* Gilles.
Hill, Edward, 216 iii., 890 iii.
......, Nath., 65 v.
......, Thomas, formerly Lt.-General of Leeward Islands, 836.
Hillgrove, Nicholas, 228.
Hilton, John, 817 i.
......, Winthrop, 30, 65 v., 260 i., 292, 392.
Hinton, John, 583 xlviii.
Hispaniola, 174, 339, 473.
......, French settlements in, 540, 554 i.
......, Governor of, 554 i.
......, raids from, on Jamaica, 554 i., 667 i.
Hix, Robert, deposition of, 765 i.
Hobart, Daniel, 487 ii.
Hobby, Sir Charles, 604.
......, ..., document signed by, 794 iii.

Hodder, William, 158 IX.

Hoddy, Hugh, 921.

Hodges, Anthony, Lt.-Governor of Montserrat, 150, 182, 484 XXX., 597 I.

......, ..., charge against, 459 I.

......, ..., deposition of, 484 XXIX.

......, ..., letter to, 484 XXI.

......, Thomas, Attorney General of Barbados, 96, 180, 180 II., 396, 583 XLVI.

......, ..., document signed by, 583 XVIII.

......, ..., leave of absence of, 446.

......, Sir William, petition of, 449 I.

Holder, John, 126 I., 180 II., VIII. (*a*, *b*), 222 V.

......, ..., charges by, against Walker, A., 180 IV. (*j*).

......, ..., deposition of, 180 IV. (*c*).

......, ..., petition of, 180 IV. (*h*).

......, ..., execution against, suspended, 88.

Holdsworth, Arthur, 158 X.

......, ..., document signed by, 911 XIII., XIV.

......, ..., letter from 890 VII.

Holland, and the Dutch, 279; *and see* Dutch West India Company.

......, Penobscot destroyed by, 554 I.

......, potash exports from, 27 VI.

......, privateers, 223 I., 339.

......, in Tobago, 554 I.

......, trade with, 148, 150, 182, 391, 484 XXII., 532.

Holland, ——, 191.

......, William, 707.

Holman, Andrew, 890 III.

Holmes, Edward, deposition of, 472, 733.

......, ..., tortured in the Bahama Islands, 472, 733, 870.

......, Mrs., wife of preceding, torture of, 472, 733, 870.

Holt, Lord Chief Justice, 597 I.

......, H., document signed by, 811.

......, Peter, bills signed by, 831, 831 II.

......, Peter, letter from, 831 II.

Holy Ghost, the, French privateer, 56 II.

Hoogland, ——, 848.

Hooper, Daniel, 583 VII.

......, ..., deposition of, 583 LII.

......, Robert Lettice (Lottis), 583 VII., LII.

......, ..., deposition of, 583 LIII.

Hopegood, Anne, 444.

Hopkins, Thomas, letter to, 124, 262.

Hore, Nehemiah, 890 III.

Horekills, plundered, 571.

Horne, Thomas, 187, 502.

Hoskins, John, 487 II.

Hotchkyn(s), Robert, Attorney-General, Jamaica, 56 I., 106, 451, 451 II.

Hothersall, John, case of, 583 XXXIII.

How, Benjamin, 17 II.

Howard, Charles, Earl of Carlisle, 575.

Huddy, —— (N.J.), 11 I.

Hudson('s) Bay Company, claim for damages, 500, 522, 523, 554 I., 554 I. (*a*).

......, memorial, petition of, 522, 522 I., 523, 554 II.

......, ..., report upon, 554 I.

......, fur trade of, 522, 554 I.

......, whale fishery, 554 I.

......, Governor of, letter from, 500.

......, ..., letter to, 520.

Hudson's River, settlement on, proposed, 705.

Huffam, —— (Nevis), 187.

Hughes, Clement, 65 V.

Humphrey, Nathaniel, 487 II.

Hunkins, Mark, 415, 439.

Hunt, Ephraim, 391 I.

......, Josiah, document signed by, 157 I.

Hunter, Captain of Independent Company, Warrant for, 493.

......, Robert, Governor of New York; New Jersey; Virginia.

......, ..., ..., New Jersey, Commission of, 721, 732.

......, ..., ..., ..., instructions of, 721, 753, 819, 921, 924, 924 I.–III., 925, 927, 931.

......, ..., Governor of New York, 771, 816; *and see* Canada expedition; New York.

......, ..., Commission of, 721, 732, 751.

......, ..., Governor of New York, instructions of, 721, 753, 924, 924 I.–III., 925, 927, 929.

......, ..., ..., concerning officers' fees, 903, 929.

......, ..., letter from, 789.

......, ..., letter to, 933.

......, ..., proposal of, for settling German Protestants in New York, 881, 882, 885, 891 I., 915–918 I.

......, ..., Governor of Virginia, 295, 383.

......, ..., instruction to, concerning grants of lands, 346 I., 724.

......, ..., letter to, 678.

......, ..., prisoner in France, 295.

......, ..., loss of equipment, compensation for, 137.

......, ..., salary of, 137.

Huntinton, John, Commodore, R.N., 131, 137.
......, ..., complaints against, 253, 254, 296.
......, ..., ..., reply to, 322, 322 I.–III.
......, ..., letter from, 322 II., III.
Husbands, Samuel, 502, 857 III.
Hutchins, Capt. R.N., 720.
......, ..., engagement with French, 451.
Hutchinson, Elisha, 391 I.
......, Eliakim, 391 I.
......, Jedidiah, 194 VII.
......, ..., deposition of, 194, VIII., 625, 626.
......, John, 573 II.
Huyghue, J., 487 II.
Hyde, Edward, Viscount Cornbury, late Governor of New York and New Jersey, 4, 400, 400 I., 405, 621, 769, 850, 876.
......, ... Canada, expedition against, proposed by, 107, 235.
......, ..., ..., neutrality agreement with, by, 554 I.
......, ..., Conference of, with Indians at Albany, 107.
......, ..., customs, universal for Plantations, proposed by, 10.
......, ..., document signed by, 157 I.
......, ..., French deserters examined by, 107.
......, ..., grants of land in New York, by, 848.
......, ..., instructions of, 11.
......, ..., letters etc. from, 10, 10 I., 11, 11 I., 107, 157, 819 XIII.
......, ..., letters to, 819 X., 863.
......, ..., New Jersey, Assembly, 440.
......, ..., Newfoundland, reduction of, proposed by, 107.
......, ..., New York, Chief Justice of, suspended by, 545.
......, ..., papers of, 847.
......, ..., representation concerning, 375.
......, ..., salary of, 706.
......, ..., Cornbury, Lady, 848.
Hyrne, Edward, Naval Officer, S. Carolina, 237, 752.
......, ..., Commission and instructions of, 237, 454, 462, 464, 468, 469.

I

Iberville, Mons. d', 60.
Ilethera. *See* Eleuthera Island.
Indian Affairs, Commissioners for, 10, 107, 196.
Indians, the, 60.
......, danger from, 17.
...... ; *and see* Dominica.
......, Appallachy, defeat of, 632, 739.
......, Attalbamees, 739.
......, barbarities of, 533 I., 554 I., *p.* 49.
......, Canada or Eastern, 609, 794 III.
......, ..., attack on New England by, 260, 391, 621 IV.
......, ..., and the Canada expedition, 604, 629.
......, ..., war with, 533 I.
......, ..., ..., barbarities of, 554 I.
......, Canada, intermarriage, with French, 217, 705.
......, ..., Neutrality agreement of, 554 I.
......, ..., numbers of, 217.
......, ..., rewards for scalps, 19, 30, 391.
......, ..., reports upon, 621 IV.
......, Carolina, 632.
......, ..., French attempts to seduce, 632.
......, ..., instruction concerning, 424.
......, ..., slave trade in, 662.
......, ..., trade with, 655 ; *and see* Carolina.
......, ..., war in, 662.
......, Cherokees, 632, 662, 739.
......, Chickysaws (Checasas), 632, 739.
......, Choctaws (Chactas), peace with, 632.
......, Dionondades, the, 107.
......, Far Nations of, Twichtwichts, Dionondades *etc.*, 107.
......, Five Nations (Cayugas, Onondagas, Oneidas, Mohawks or Maquas, Senecas), 60, 185, 217, 554 IX.–XI., 609, 621 IV. (*b*).
......, ..., and expedition against Canada, 196, 387, 475, 477, 604, 794, 794 I., III., *p.* 50.
......, ..., Conference with, 10, 107.
......, ... French claim to sovereignty over, 554 I.
......, ..., French intrigues with, 666, *p.* 47.

Indians, the, Five Nations the—*cont.*
......, ..., Neutrality agreement of, 458, 554 i.
......, ..., ..., objection to, 19, 533 i.
......, ..., presents for, 10, 107, 666.
......, French, 107.
......, Illinois (Ilianoes), 217, 632.
......, incursions of, 260, 391, 392, 393, 428.
......, Iroquois, 632.
......, lands purchased from, 65 iii.
......, from Long Island, 629.
......, Maherine, trade with, prohibited, 765 ii.
......, Mexico, war with Spaniards, 632.
......, Mississippi, 60.
......, Newfoundland, 890 ii.
......, New Hampshire attacked by *etc.*, 65 iv., 185, 392, 393.
......, New York, lands of, 848.
......, Nochees, 632.
......, Nottaway, trade with, prohibited, 765 ii.
......, Ottawawas, 217.
......, Paleachuckles, 739.
......, River, and the Canada expedition, 387, 475, 477.
......, Saponies, lands granted to, 295.
......, ..., taken under protection by Virginia, 765 ii.
......, Savannas, 739.
......, slave trade, 632, 739.
......, slaves in Carolina, 739.
......, slaves punishment of, Act for, repealed, 778, 792.
...... spies, for Canada expedition; reports by, 621 iv., 629.
......, Talapoosies, 632, 739.
......, Tassas, 632.
......, trade with Carolina, 632.
......, trade with French, 391.
......, trade with Massachusets, 391.
......, Tuscoruro, trade with, prohibited, 765 ii.
......, Virginia (Tuscoruro *etc.*), 26, 189, 216, 216 i., 295, 341, 342; *and see* Virginia, Indian traders.
......, ..., murder by, 137.
......, ..., trade with, 655.
......, Western, 554 i.
......, ..., trade with, 554 i., 716.
......, Yamasees, 739.
......, Yassas, 632.
Indigo, Act concerning, 391, 392.
Ingoldesby, Richard, Lt.-Governor of New York and New Jersey, assumes Government, 621.
......, ..., Canada expedition, 604, 666, 819 xi.
Ingoldesby, Richard—*cont.*
......, ..., Commission of, revoked, 711, 714, 738, 800, 814, 840.
......, ..., complaints against, 706.
......, ..., document signed by, 819 i.
......, ..., endeavours to detain Lady Lovelace, 712.
......, ..., letter from, 578, 621, 701, 702, 747 i.
......, ..., letter to, 794 vii.
......, ..., partisan of Lord Cornbury, 610.
......, ..., salary of, 578.
......, ..., suspends Lewis Morris, 578, 924 i.
......, Fort, 794 i.
Ireland, potash export, 27 vi.
......, trade with Newfoundland, 223 i.
......, trade with Spanish West Indies, 305.
......, trade with West Indies, 766.
......, trade illegal, with Curaçoa, 831 ii.
......, trade illegal, with French West Indies, 166, 186, 209.
Isle of Boys, French attack, 859 i.
......, Governor of, 756.
......, inhabitants of Mainland, removed to, 859 i.
Isle des Vaches. *See* Ash, Isle of.
Ivy, ——. *See* Joy.

J

Jackson, Christopher, 180 iv. (*l*).
Jacobites, the, 116 iv., 852.
Jaffrey(s), George, 391, 392.
......, ..., document signed by, 65 v.
JAMAICA, 597 i., 688, 870; *and see* Handasyd, Thomas; France and the French; *Kingston* galley; Lynch Island.
......, Acts of, 483, 542, 670.
......, Act of, *for additional duty*, 451.
......, ..., *for settling fees*, 339, 473, 781, 783.
......, ..., ..., petition against, 812 i.
......, ..., *concerning estate* of George Joy, 543, 856, 867, 872.

Jamaica, Act of—*cont.*
......, ..., *for further quieting possessions*, 339, 473, 784.
......, ..., ..., objections to, 834.
......, ..., ..., repeal of, 858, 872.
......, ..., ..., report on, 807, 807 I.
......, ..., *for prevention of lawsuits*, 834.
......, ..., *for quartering Regiment*, 174, 339, 451.
......, ..., *for Revenue*, 112.
......, ..., *concerning white servants*, 704, 835 I.
......, Act of Parliament, *to encourage trade to America*, 142.
......, Agent of, 837.
......, ambergris, seizure of, 573, 573 II., 868, 872.
......, appeal from, 413.
......, Assembly of, 139 I., 142, 174, 247, 339, 382, 451, 483, 667 I., 835 I.
......, ..., Journals of, 87, 208, 451, 483, 542.
......, ..., report by, upon case of Mr. Gualtier, 279.
......, Attorney General of, 227, 247, 339, 451, 451 II., 573, 912; *and see* Hotchkyn, Robert.
......, ..., salary of, 56 I.
......, Barrow, case of, 247.
......, Chief Justice of, 167.
......, ..., and Judges of, address from, 451 I.
......, clerks of, salaries of, 56 I.
......, coin, currency of, Act relating to, 142.
......, convoys, 56, 68, 80, 142, 247, 445 I., 542, 573, 720.
......, Council of, 87, 339, 408, 846, 912.
......, ..., appeal to, 444.
......, Council and Assembly of, 704.
......, Council, Minutes of, 339, 451, 473, 483, 542.
......, Councillors of, 102, 106, 110, 122, 138, 139 I., 142, 146, 167, 172, 208, 247, 413, 414, 452, 452 I., 453, 466, 573.
......, ..., Factors for Royal African Co., forbidden to act as, 87, 174, 382, 444, 453, 466, 471, 473, 649, 872, 912; *and see* Royal African Company.
......, ..., number of, 453.
......, ..., privileges of, 56, 208.
......, Court of Admiralty, proceedings of, 111, 174, 174 II., 383.

Jamaica—*cont.*
......, Courts of, 451, 451 I., 451 II.
......, ..., special verdict refused by, 573, 868.
......, Customs, Collectors of, disputes with, 720, 872.
......, defence of, 208, 699, 704, 720.
......, earthquake at, 202.
......, embargo at, 227.
......, ..., instruction concerning, 382.
......, escheats in, 81, 142, 385, 573, 573 I., 872.
......, ..., instruction concerning, 67 I., 87, 103, 408.
......, Flag of truce at, 382, 573, 872.
......, fortifications of, 208, 542, 872.
......, French, attacks by, threatened, 142, 227, 382, 554 I., 720, 872.
......, German Protestant Refugees, proposal to settle in, 657 I., 665, 699, 704, 737 I.–VI., 742, 758, 762, 763, 770, 775, 776, 783, 788, 799, 801, 822–824, 826, 827, 835, 835 I., 872.
......, ..., ..., report on, 667 I.
......, ..., naturalization of, 835 I.
......, Governor of, 376; *and see* Beeston Sir W., Handasyd, Thomas, Brigadier.
......, Governors of, abstracts of letters from, 278.
......, Governor and Council of, appeals to, order concerning, 444.
......, ..., instructions to, 835 I.
......, Guardships for, 208, 573, 871, 872; *and see* Naval Squadron at.
......, health of, 174, 451, 483, 542, 785.
......, imports of beef and grain, 766.
......, Jones, Samuel, case of, 447, 720, 872.
......, lands in, grants of, 699, 704, 808, 810, 856.
......, ..., ..., proviso recommended, 835 I.
......, Linch's Island. *See* Linch's Island.
......, Lloyd, Richard, case of, 81.
......, magazine, 56.
......, Marlborough's Victories, 142.
......, merchants trading to, letter to, 220.
......, merchants of, petition of, 270 I.
......, migration to, from St. Kitts *etc.*, 573.

Jamaica—*cont.*
......, Naval Officer, seizure etc., by, 167, 174, 174 II., 202, 218, 227, 451, 451 II., 635, 640; *and see* Norris, William.
......, ..., salary of, 56 I.
......, Naval Squadron at, 56, 214, 227, 339, 720, 872; *and see* Baker; Wager; Guardships.
......, ..., manned by soldiers, 56, 68, 174, 376, 473, 542, 649, 912.
......, ..., recruits for, 376, 872.
......, ..., sailors, lack of, 376, 382, 451, 473, 542, 640, 649, 720, 731, 912.
......, ..., sickness in, 68, 912.
......, negro, murderer, appeal for pardon, of, 474 I.
......, negroes in, 67 I., 81, 142, 151, 347.
......, ..., accounts of, 208.
......, ..., imports and prices of, 142, 142 III., 243, 247, 855, 855 I.
......, ..., numbers needed for, 331, 573.
......, ..., petition concerning, 525, 525 I.–VI.
......, ..., trade in, 56, 243, 542.
......, patent offices in, 87, 218, 247, 573.
......, ..., list of, 56, 56 I.
......, pirates, 785, 872, 900.
......, ..., pardon for, 912.
......, Port Royal, fort and fortifications of, 208, 542.
......, Prerogative of the Crown in, 649.
......, pressing at, 376.
......, prisoners, exchange of, 227, 382, 483, 573.
......, privateer, raids Dominico, 597 I.
......, privateer without commission, seizure by, 174, 174 II., 202, 227, 247, 383, 451, 451 II., 473; *and see Kingston* galley.
......, privateers, 56, 69, 87, 142, 202, 339, 382, 383, 395, 408, 597 I., 667 I., 679, 683, 785, 831 II., 871, 872.
......, ..., captures by, 174, 202, 227, 451, 573, 649.
......, ..., commissions for, 649.
......, ..., French, 56, 174, 227, 339.
......, ..., instruction concerning, 111.
......, ..., instructions of, 473.
......, ..., losses from, 912.
......, ..., regulations of, 100, 445, 445 I., 473.

Jamaica, privateers—*cont.*
......, ..., on Spanish coast, 87.
......, prizes, accounts of *etc.*, 111, 142, 142 II., 174, 208, 227, 339, 339 I., 451, 473, 573, 649, 720, 720 I., 785, 872.
......, produce of, 699.
......, Provost Marshal of. *See* Rigby, Richard.
......, ..., salary of, 56 I.
......, Quit rents, 142, 167, 657 I., 699, 720, 808, 822, 823, 824, 827, 832 I., 872.
......, ..., account of, 827 I.
......, raids on, from Hispaniola, 667 I.
......, Receiver General of. *See* Compere.
......, ..., salary of, 56 I.
......, ..., deputy of. *See* Chaplain.
......, H.M. Regiment at, 8, 208, 339, 378.
......, ..., losses of, 56, 872, 912.
......, ..., mans fleet, 56, 68, 174, 451, 473, 542, 649, 872, 912.
......, ..., quartering of, 382.
......, ..., recruits for, 56, 142, 143, 174, 227, 542, 785, 912.
......, ..., relief of, 227, 382, 451, 452, 649, 785, 912.
......, ..., serjeant of, reprieve of, 451, 451 I., 636, 640, 669.
......, Revenue of, 167, 174, 339.
......, ..., accounts of, 649, 872.
......, ..., deficiency of, 142.
......, ..., increase of, 142.
......, Rio Grande, 657 I.
......, Secretary of. *See* Baber, John.
......, ..., salary of, 56 I.
......, Scrivener, Benjamin, privateer without commission. *See Kingston* galley.
......, Seal for, 40.
......, Secret Service of, 247, 573, 872.
......, ships of, 10, 936.
......, ..., captured, 411 II., 448.
......, sickness in, 142, 222, 649, 720, 722, 912.
......, Spanish neighbour, 5, 142.
......, Stores of War, accounts of, 227, 382, 542, 542 I., II.
......, sugar, duties on, 699.
......, trade of, 56.
......, ..., hindered by Hispaniola, 540.
......, ..., with Bermuda, 448.
......, ..., with Carolina, 448, 739.
......, ..., with Continent, 540, 606.
......, ..., with French, 649.

Jamaica, trade of—*cont.*
......, ..., with Maryland, 197.
......, ..., with New York, 10, 448.
......, ..., with Rhode Island, 230 ii.
......, ..., with Spaniards, 56, 68, 87, 100, 111, 174, 227, 301, 339, 382, 445, 445 i., 451, 540, 542, 573, 649, 679, 683, 872.
......, trade fleet, 142, 174, 213, 214, 220, 247, 542, 720, 722.
......, Whitchurch, James, petition of, reply to, 142, 142 i.
Jamain, Elias, 487 ii.
James, I., King, grants of, 554 i.
......, II., King, 554 i.
...... River, Va., 765 ii.
Jane, Gilbert, 756, 890 iii.
Jans, Thomas, letter etc. from, 358, 358 i.
Janurirde, John, 65 v.
Jeane, Gilbert. *See* Jane.
Jeffry, Henry, 890 iii.
Jeffrys, Alderman, 215.
......, Sir Jeffry, 215.
......, ..., ship belonging to, 852.
Jekyll, John, document signed by, 151 i.
Jenings, Edmund, President of the Council, Lt.-Governor and Commander in Chief of Virginia, 216 ii., 261, 322 iii., 355.
......, ..., instructions of, 215, 295, 409.
......, ..., letter from, 137, 181, 186, 189, 215, 216, 253, 421, 571, 607, 765, 765 i.
......, ..., letter to, 26, 165, 295, 409, 431, 432, 655, 668, 771, 772, 793, 866.
......, ..., Proclamations by, 765, 765 ii.
Jenkins, Francis, 131, 290.
......, John, 756.
Jennings, Samuel, charges against, 819 iii.
Jersey, H.M.S., 339.
......, ..., prize of, 473.
Jesuits, the, 60, 410.
Jodrell, Paul, clerk of the House of Commons, document signed by, 316, 575, 910.
Johnson, Dr. (N.J.), 11.
......, B., 487 ii.
......, John, late Lt.-Governor of Antigua, 116, 597 i.
......, ..., gratuity of, 597 i.
......, ..., murder of, 531.
......, Sir Nathaniel, Governor of Carolina, 411, 739, 752.
......, ..., charges against, 662.
Johnson, Sir Nathaniel—*cont.*
......, ..., letter to, 765 i.
......, ..., presents to, 662.
......, Thomas, 890 iii.
......, William, 911 ix.
Jones, Ensign, 191.
......, —— (master of ship), 10.
......, Amerigo, 204.
......, Edward, Secretary and Provost Marshal of Bermuda, 18, 72.
......, ..., complaints against, 817.
......, ..., complaints by, 817.
......, ..., petition and case of, 101 i., 201, 506, 507, 507 i., 508, 643.
......, ..., petition for removal of, 231, 231 iii.
......, Francis, deposition of, 231 i.
......, James, Colonel of H.M. Regiment, Leeward Islands, 5, 76 i., 192, 194, 591, 597.
......, ..., letter from, 125.
......, Joshua, 443 i., ii.
......, Robert, 484 xxii., 625.
......, ..., deposition of, 589 xxvi.
......, Samuel, Capt., lands of in Jamaica, 720, 872.
......, ..., order concerning, 447.
......, (?Samuel), Capt., proposal of, for settling German Protestant Refugees in Jamaica, 657 i., 737 i., 742, 754, 763, 799, 835, 835 i.
......, Samuel, master of ship, 268.
......, Thomas (N.Y.), 10 i.
Jonson, Daniel, deposition of, 231 i.
Jordan, —, (Antigua), case of, 597 i.
Jorrens, B., document signed by, 193 i.
Jory, Jos., document signed by, 811.
......, ..., letter from, 546.
Joy, George, Act concerning. *See* Jamaica, Act.
Joyce, Capt., 870.
Judge, Major, Governor of Sta. Lucia, 554 i.
Jukes, Edward, Landgrave of Carolina, patent of, 462.
......, ..., grant of land to, 469.
Julian, John, 756.
Jurdine, Richard, petition of, 564 i.
......, ..., ..., recommended to Governor Parke, 631.

K

Kallahan, Charles, arrest of, 459 i.
Keble, John, proposal for making potash and salt, 27, 27 i., 28.
......, ..., reports upon, 27 ii.–vi., 43.
Keen, William, Journal of, capture of St. John's, 890 ii.
......, ..., hostage at Placentia, 890 ii., iv.
Kennebec, River, 554 i.
......, ..., settlement on, proposed, 882.
Kent, Marquis of. *See* Grey, Henry de.
......, John, document signed by, 193 i.
Kerby, Thomas, deposition of, 589 xiii., xviii.
......, ..., document signed by, 589 viii.
Kerr, William, Commodore, R.N., 87.
Ketelbey, Abel, Landgrave, 424.
......, ..., grant of lands to, 425, 569.
Ketelhuyn, Daniel, 621 iv. (*c*).
Keynell, Mathew, 583 vi.
Kimberly, Eleazar, 323.
......, ..., document signed by, 328.
King, Gregory, Commissioner for stating arrears, 877.
......, Sir Peter, 508.
Kingsland, ——, 11 i.
Kingston galley, case of, 174, 174 ii., 382, 383, 395, 408 ; *and see* Jamaica, privateer without commission.
Kingston, William, 573 ii.
Kingstown (N.H.), 19.
King William, packet, 135.
Kinsale, H.M.S., 158 ix., 252, 621, 794 v., vii., viii.
Kirke, Sir David, grant of, Newfoundland, 554 i.
......, Sir Lewis, grant of, 554 i.
......, Philip, 158 ix.
Kirwan, Joseph, 524 i.
......, Walter, 487 ii.
Kittery, bounds of, 17 ii., 260 i.
Knight, Christopher, 487 ii.
......, John, 65 v.
Knill, Joseph, 890 iii.
Kocherthal, Joshua, Minister of German Protestant Refugees, document signed by, 710.
......, ..., letter from, 366, 932.
......, ..., maintenance and grant of glebe of, 38, 82, 932 i.
......, ..., petition from, 14.
......, ..., receipts by, 42, 120.
......, ..., vine growing in America, report upon, by, 932.
Kunasoro, Indian Sachem, 107.

L

Labrador, 60.
La Coste de Sta. Domingo, 540.
Lafertey, Samuel Picart, 487 ii., 852.
Lakeman, Abraham, document signed by, 157 i.
Lambert, Michael, Lt.-Governor of St. Kitts, 117 iv., 194 ii.
......, ..., affidavit of, 194 iii.
......, ..., document signed by, 183 iii.
Lampson (Tobago), 554 i.
La Nalleere (Newfoundland), 890 ii.
Lang, Oliver, 756.
Langdon, Tobias, 65 v.
Langley, Nicholas, 890 iii.
Langmayd, William, 890 iii.
Langstaf (N.H.), case of, 663.
Laplarie, Fort at, 621 iv. (*a*).
Lapoterie, M., 909 i.
Larke, H.M.S., 684, 709.
La Ronde, Denis, 890 ii.
Lartice, ——, French officer, 890 ii.
La Salle, design of, 632.
Lascelles, Edward, 242 i., 321.
Latimer, Robert, case of, 484 xiii.
Laudley, George, 890 iii.
Laurel, ship, 210, 709 i.
Laurence, Sir Thomas, Secretary of Maryland, 131.
......, ..., address of Assembly concerning, 290.
......, ..., claim of, rejected, 290.
......, ..., complaints of, reply to, 410.
......, ..., letter from, 265.
......, ..., losses of, 265 i.
......, ..., reply of, 296.
Lavington, William, 443 i., ii.
Law(e)s, Col., letter to, 688.
......, ..., memorial from, 699.
Lawson, John, Surveyor General, N. Carolina, and Boundary Commissioner, 402, 813.
......, ..., Commission of, 479.
......, ..., instructions of, 480, 828.
......, ..., letter to, 675.
Leavitt, Moses, 65 v.
Lee, Francis, 29.
......, John, 890 xiii.
......, Thomas, 524 i.
......, William, 911 ix.
Leeds, —— (N.J.), 578.
LEEWARD ISLANDS, the, 210. ; *and see* Anguilla ; Antigua ; Montserrat ; Nevis ; St. Kitts ; Johnson, John ; Parke, Daniel ; Chester, Edward ; Hamilton, Walter ; Codrington, Christopher.

Leeward Islands—*cont.*
......, Acts of, 192, 878.
......, Act *to enable Robert Freeman*, 541.
......, ... *for establishing Courts*, 25, 84, 99, 209, 264.
......, ..., repealed, 269, 311.
......, ... *for regulating coin*, 116, 192.
......, addresses from, 25, 524, 524 i.
......, Assembly of, 113, 264, 532.
......, ..., design to summon, 873.
......, Attorney General of. *See* Pember, Herbert.
......, citron water, presents of, 183.
......, Codrington, party of, 5; *and see* Codrington, Christopher.
......, communications of, difficulty of, 192.
......, convoys, 5, 852.
......, ..., request for, 80.
......, Council of, addresses of, 488.
......, ..., Minutes of, 25.
......, Council and Assembly of, 5.
......, ..., address of, 532.
......, credit of, fallen, 855.
...... Customs, Officers in, 193.
......, debts, payment of in, 209, 381.
......, defence of, 5.
......, flags of truce, 5, 597 i.
......, ..., French, seized, 909 i.
......, 4½ per cent. duty in, 193, 597 i.
......, ..., frauds in, 532.
......, French, attack by, threatened, 852, 865, 873.
......, Governor of. *See* Parke, Daniel.
......, guardships needed for, 5, 192, 193, 597 i., 865; *and see Adventure*, H.M.S.
......, imports and exports of, 25, 766, 779.
......, inhabitants of, decrease of, 182.
......, large landowners in, 182.
......, Lt. Governor of. *See* Hamilton, Walter; Johnson, John.
......, money raised for superseding Parke, 193, 194.
......, Naval Officer, 5.
......, ..., profits of, 531.
......, negroes in, 151.
......, ..., captured in, 532.
......, ..., imports and prices of, 25, 109 i.–iii., 245, 855, 855 i.
......, ..., accounts of, 25, 209.
......, ..., required for, 331, 531.
......, ..., trade in, 193, 484 xl.

Leeward Islands—*cont.*
......, Patent Offices in, 5, 245, 531.
......, ..., account of, demanded, 209.
......, ..., powder duty in, 532, 589 i.
......, prerogative of the Crown, 209.
......, prisoners, exchange of, 909 i.
......, privateers, 150, 192, 193, 534, 589 i., xxiii.
......, prizes, 484 xx., xxi.
...... Provost Marshal of, 5, 531; *and see* Perrie, John.
......, public papers, difficulty in obtaining copies, 209.
......, Seal, new, warrant for use of, 40, 815.
......, Secretary of, 5, 590, 597 i.; *and see* Hedges, Sir C.
......, ..., profits of, 531.
......, ..., Deputy of, 25, 597 i., 878.
......, ..., complaint against, 864.
......, H.M. Regiment at, 5, 117, 125, 191–193, 367, 591; *and see* Buor, Capt.
......, ..., employment of, by Governor Parke, 193, 193 i.
......, ..., muster-rolls of, imperfect, 191.
......, ..., officers of, absentees, 5, 191, 209, 488.
......, ..., testimonials in favour of Parke, 193 i., 487 i.
......, ..., pay of, 5, 191, 487, 878.
......, ..., quartering of, by Antigua, refused, 191, 193 i.
......, ..., recruits for, 191.
......, ships of, 10.
......, stores of war, accounts of, 25, 192, 381.
......, trade with Curaçoa, 597 i.
......, ..., French, 181, 193.
......, ..., New England, 779.
......, ..., New York, 779.
......, ..., Virginia, 779.
......, trade, illegal by, 150, 181, 182, 193, 353, 381, 532, 597 i.
......, trade fleet of, 182, 852, 865.
......, the French, Governor of, *See* Demaschault.
Legay, John, case of, 583 xxxiv., xxxv.
......, Sarah, assault on, 583 xxxiv., xxxv.
Legge, Capt. R.N., 396, 487.
......, ..., complaint against, 709.
......, ..., present to, 597 i.
......, William, Baron Dartmouth, a Commissioner of Trade, 350.
Legoss, Isaac, 756.
Leighfoot, John, 443 i., ii.
Lemon, Thomas, document signed by, 349.

Le Mieta, Spanish ship, 56 ii.
Leslie, William, 274.
Levans, David, 65 v.
Liddell, George, 524 i.
Lillingston, Luke, Col. of H.M. Regiment in Leeward Islands, 117, 125, 183, 193, 488.
......, George (Barbados), 892 ii.
......, ..., case of, 96 i., 141 iii., 180 ii., 222 i., 396, 396 iv., 513 i. (*b*), 518 i., 633.
......, ..., document signed by, 513 iii., v.
......, ..., deposition of, 396 iv.
......, ..., imprisonment of, 180 ii.
......, ..., petition of, 633.
......, ..., ..., order concerning, 634.
......, ..., son of, 642.
Lilly, Christian, Col., engineer, report by, 589 vi., 597 i.
Lima, French trade with, 56.
Linch, Sir Thomas, 667 i., 704, 770, 827.
Linch's Island (Jamaica), 657 i., 667 i., 699, 704, 754, 758, 762, 770, 776, 799, 835 i.
Linen manufactures in the Plantations, 249.
Lisbon, 80.
Litchell, James, 573 ii.
Litchfield, H.M.S., 562 i., 756, 859 i., 911 xiii.
Little Bell Island, 756.
Little Boar's Head (N.H.), 663.
Little Harbour (N.H.), 19.
Littleton, Edward, attestation of, 554 i.
Liverpool, 137.
Livingston, Robert, Secretary for the Indian Affairs, N.Y., 604, 621 iv.
Lloyd, —— (Antigua), 182.
......, Edward, 707.
......, John, letter from, 268, 284.
......, ..., ..., to, 257.
......, Richard, Col., 835 i.
......, ..., letter from, 81.
......, ..., petition of, 474 i.
......, ..., proposal for settling German Protestant Refugees in Jamaica, 665, 667 i.
......, Thomas, Major (Newfoundland), 223 ix.
......, ..., capture of St. Johns from, 345, 890 ii., 911 ix.–xii.
......, ..., treachery of at, rumoured, 348 i.
......, ..., complaints against, 158.
......, ..., ..., reply to, 158 iii.–ix.
......, ..., ..., report upon, 158 x.
......, ..., document signed by, 223 xv.
Lloyd, Thomas—*cont.*
......, ..., letter from, 158, 195, 314, 584, 890 ix.
......, ..., ..., intercepted, 158.
......, ..., soldiers enlisted by, 152, 282.
......, ..., ..., hired out by, 911 ix., xi.
Locke, John, Commissioner of Council of Trade, salary of, 877, 884.
Lodwick, Col., letter to, 517.
Logan, ——, 191.
Lone, Thomas, 487 ii.
Long, (?Charles), 87, 414, 835 i.
......, (?Thomas), 597 i.
Longfield, ——, 11 i.
Long Island, 10, 252.
......, illegal trade in, 10.
......, Indians in, 629.
......, grants of land in, 848.
......, whales and train oil, 10.
Looby, Basil, 443 i., ii.
Looe, H.M.S., 223.
Lord High Admiral. *See* Denmark, Prince George of.
Lord High Treasurer. *See* Godolphin, Sidney.
Lords, House of, address to, 662.
Lovelace, John, Baron Lovelace of Hurley, Governor of New York and New Jersey, 36–38, 52, 71, 89, 371, 440, 493, 666, 848, 888, 935.
......, ..., addresses to (N.J.), 819 i., xii., 847 ii., iii.
......, ..., agent of, 401.
......, ..., arrival of, 252, 266.
......, ..., and the Canada expedition, 475, 477, 498.
......, ..., death of, 578, 604, 610, 617, 691.
......, ..., disbursements of, 401, 710, 712; *and see* German Protestant Refugees.
......, ..., instructions of, 20 i., 578.
......, ..., ..., concerning grants of lands, 20 i.
......, ..., ..., Lewis Morris, 105.
......, ..., ..., New Jersey, 578.
......, ..., ..., Canada expedition, 475, 477.
......, ..., letter from, 400, 401.
......, ..., letter to, 64, 82, 128, 429, 819 i., 847, 849.
......, ..., restores Byerley, 405.
......, ..., speech of, to the Assembly of New Jersey, 847 ii., iii.
......, ..., voyage of, 252; *and see* Canada expedition.
......, Lady, 578.
......, ..., complaints of, against Lt.-Governor Ingoldesby, 712.

Lovelace, Lady—*cont.*
......, ..., money due to, 617, 710, 712.
......, ..., return of, 571.
......, ..., sons of, death of, 617.
Low, —— (Jamaica), 87.
......, John, 65 v.
Lowestoft, H.M.S., deserters from, 924 i., 925.
Lowndes, William, Secretary to the Treasury, letter from, 27, 171, 490, 823, 832.
......, ..., letter to, 1, 43, 51, 55, 66, 184, 310, 353, 489, 499, 701, 706, 832 i.
Lowther, Robert, Commissioner of Ordnance, document signed by, 242 i., 306.
Loyal Johnston, ship, 342, 448, 682.
Loyd, Charles, 443 i., ii.
Luff, John, 911 ix.
Lundy, James, deposition of, 765 i.
Lusitania, ship, 124, 349.
Lutherans. *See* German Protestant Refugees.
Lyell, William, 487 ii.
Lyme Regis, 358 i.
Lynde, Joseph, 391 i.
Lynes, Philip, 131, 258, 315.
Lyon, sloop, 72.
Lyons, Henry, 5, 531, 590.
Lyte, Col. (Barbados), 126 i., 583 lii.

M

McArthur, Guillias, 625.
Machelmore, Dennis, 487 ii.
Mackarlye, Timothy, 152.
Mackasgell, Norman, deputy clerk, Barbados, 63.
......, ..., deposition of, 386 ii., 583 xlvi., xlvii.
......, ..., petition of, 386, 698 i.
......, ..., ..., order concerning, 386, 386 i., 893.
Mackinnen (Mackennen), Daniel, Dr. (Antigua), 182, 443 i., ii., 531, 597 i., 852.
Mackenzie, —— (Barbados), 180 ii.
...... (?Ensign), 191.
Madagascar, pirates at, expedition against, proposed, 557 i., 575, 620 i., 622, 908, 908 i.–vi.
Madeira, 96, 230 ii., 323.
......, trade with the Plantations, 739, 779.
Maddox, Daniel, 152.
Maidstone, H.M.S., 621, 794 v., vii., viii.
Maine, Province of, 391.
......, attack upon feared, *p.* 49.
Mallary, Capt., 625.
Mallett, —— (Antigua), 597 i.
Mattamoro, 204.
Manchester, Earl of. *See* Montague, Charles.
Manier, Paul, deposition of, 583 xliv.
Map, of Mississippi, 632.
Marblehead, Fort at, 33 iii., 391, 394 i., ii.
Marcum, Capt., grievance of, 625.
Margaret, sloop, case of, 176, 176 iv., v., 643.
Marlborough, Duke and Duchess of. *See* Churchill, John and Sarah.
Markand, John, 583 xlii, xliii.
Marquez, Mr. (Portugal), 761.
Marshall, John, 756, 890 iii.
......, ..., deposition of, 911 xii.
......, Joseph, petition of, 850.
Martell, Captain of French privateer, cruelty of, 472.
Martin, Adrian, deposition of, 583 xxvii.
......, Andrew, case of, 182, 597 i.
......, Jason, deposition of, 150 xiv.
......, John, 756, 890 iii.
......, Rowland, 756, 890 ii.
Martine, George, Capt. R.N., letter from, 794 xii.
......, ..., letter to, 794 x.
Martinique (Martineco), 10, 116, 180, 196, 396, 529 iii., 540, 597 i., 649, 865, 909 i.
......, flags of truce, 597 i., 625.
......, French fleet at, 443 ii.
......, hostages from Nevis at, 546.
......, inhabitants of, 487 iv., 709, 709 x.
......, ..., property of, 709 x.
......, privateers, 421, 794 ii.
......, prisoners of war at, 583 xli.
......, stores at, 487 iv.
......, trade of, 181.
......, ... with Barbados, 166.
......, ... with Ireland, 5, 166.
......, trade, illegal with, 186, 589 xiv.
Martin's Vineyard, 230.
Marygalant, 116, 597 i.
Maryland, 752; *and see* Annapolis; Seymour, John.
......, accounts of, 410 iii.
......, Acts of, 131, 154, 410, 410 ii.
......, ..., repealed, 131.
......, ... *for advancement of natives*, ill effects of, 410.
......, ... *of Bankruptcy*, 290, 296.
......, ... *ascertaining damages on protested bills*, 290.
......, ..., objection to, 745.
......, ..., report on, 880.
......, ..., repeal of, 905.

Maryland, Acts of—*cont.*
......, ... *concerning Lord Baltimore's Agents*, objections to, 296.
......, ... *empowering farmers of rents*, repeal of, 203, 211, 296.
......, Act *for encouragement of learning*, 296.
......, ... *for regulating Militia*, 410, 888.
......, ... *for limiting officers' fees*, 410, 888, 889.
......, ... *for relief of poor debtors*, 528, 745, 773, 795, 820.
......, ... *for erecting ports and towns*, 863.
......, ..., objection to, 745.
......, ..., report upon, 883.
......, ..., repeal of, 904.
......, ... *for raising a revenue*, 410.
......, ... *to make a Sessions*, 888.
......, ... *for providing servants with guns, etc.*, 296.
......, ... *for punishing false news* proposed, 290.
......, ... *for guage of tobacco hogsheads*, repeal of, 290.
......, ..., reasons for rejection of new, 290.
......, ... *for support of the Government*, 290.
......, Annapolis, charter of, disputed, 290, 410 I.
......, Assembly of, 296, 671, 745.
......, ..., Address of, 290, 410.
......, ..., described, 410.
......, ..., factious behaviour of, 290.
......, ..., dissolution of, 290.
......, ..., re-election of, 290.
......, ..., Journal of, 410, 410 III.
......, ..., how chosen, 290.
......, ..., proceedings of, 888.
......, ..., speaker of, 290.
......, boundaries of, 115, 256, 410, 450, 671; *and see* Calvert, Charles, Lord Baltimore.
......, ..., (Pa.), case of Duke of York, 293.
......, ..., dispute with Pennsylvania, 168, 289, 289 I.–III., 293, 298.
......, Carolina, Act of, complaint against, 296.
......, Clark, punishment of, 296.
......, coinage, currency of, 880.
......, convoys, 131, 253, 254, 296, 322 I.–III.
......, Council of, 290, 707.
......, ..., letter from, 919.
......, ..., President of, 888.
......, ..., proceedings of, 888.
......, Council and Assembly of, Minutes of, 131, 290.

Maryland—*cont.*
......, Councillors of, 131, 258, 290, 315, 337.
......, country-born, party of, 410.
......, Courts of, 410.
......, Courts, County, of, 671.
......, ..., ..., justices of, 410.
......, ..., regulation of, 296.
......, emigration from, 290, 296.
......, ... to Carolina, 131.
......, factions in, 888.
......, Governor of, 258, 632; *and see* Seymour, John.
......, guardship required for, 168.
......, Jesuits in, 410.
......, Grand Juries, charges to, 410.
......, Justices of, 410.
......, ..., Itinerant, provision for, 290, 410, 671.
......, Lt.-Governor and Council of, address of, 131 II.
......, Lord Proprietor of, 410; *and see* Calvert, Charles, Lord Baltimore.
......, losses of, through war, 290.
......, manufactures in, 249, 745, 883.
......, ..., discouraged, 296.
......, merchants of, complaints of, 745.
......, Militia of, 296, 410.
......, negroes in, 745.
......, ..., imports of, 10, 197, 197 I., II.
......, ..., prices of, 197.
......, ..., numbers required for, 331.
......, ordinary licences in, 131, 131 II., 265, 265 I., 290, 296.
......, patent officers in, deputies of, 296.
......, Prerogative of the Crown, 410.
......, priests in, intrigues of, 410.
......, revenue of, 197.
......, ..., Acts of, 410.
......, Roman Catholics, party of, in, 290, 410, 671.
......, ..., list of, 131 III., 296.
......, ..., favour the Pretender, 131.
......, Seal, new, for, 40.
......, Secretary of. *See* Laurence, Sir T.
......, shipping of, 197.
......, stores of war, account of, 290, 296.
......, tobacco, 296, 745, 883.
......, ..., hogsheads, guage of, 410.
......, ..., low price of, 290.
......, ..., trade, depression in the, 249, 290, 745.
......, trade with Barbados, 197.

Maryland, trade with—*cont.*
......, ..., Bermuda, 231 IV.
......, ... Jamaica, 197.
......, ... Rhode Island, 230 II.
......, trade, illegal, measures to prevent, 190, 296.
......, trade fleet of, 253, 254, 296, 322 I.–III., 571.
......, Union Act of, published in, 131.
......, woollen and linen manufactures in, 249.
Mascoll, Peter, 583 VI.
Mason, John, title of, to New Hampshire, 65 III., 212, 663, 663 I.
......, Joseph, document signed by, 391 IV.
Massachusetts Bay, the, 19; *and see* Addington, Isaac; Dudley, Joseph; Bridger, J.; Boston; New England.
......, Act, *ascertaining foreign coins*, published in, 391.
......, ... *for encouraging trade to America*, published in, 391, 391 VIII.
......, ... *for support of Ministers*, 391.
......, ... *for laying duty on negroes*, 292.
......, ... *for preserving mast trees*, proposed and rejected, 17, 30, 33, 33 IV., 292, 391, 392, 428, 430, 670, 914 I.
......, ... *for public Thanksgiving*, 391 VI.
......, ... of Union, published in, 79, 391.
......, addresses from, 33, 33 I., 391, 533 I., 554 IV., 794 III.
......, Anabaptists in, action of, 391, 391 IV.
......, Assembly of, 17, 30, 33, 33 I.–IV., 292, 604, 666, 670.
......, ..., address by, 33, 33 I.
......, ..., ..., against Governor Dudley, 391.
......, ..., election of, 33.
......, ..., grievances of, 33, 33 III.
......, ..., Journals of, 803.
......, ..., resolution of, 806.
......, ..., sittings of, 391.
......, ..., speaker of, 533 I.
......, boundary dispute with Connecticut, 391, 691.
......, Canada expedition, address concerning, 794 III.
......, ..., cost of, 794 IV.
......, ..., quota for, 387, 691, 794, 794 I., II.; *and see* Canada expedition.
......, Charter of, 17, 30, 33, 292, 391, 392, 670, 914 I.
......, coins, currency in, 157 I., 375, 391.
Massachusetts Bay—*cont.*
......, College, President of the, 33 III.
......, Commissioners from, to New York, 604.
......, convoys, 417.
......, Council of, 33, 33 I., III., IV.
......, ..., address of, 33, 33 I.
......, ..., election of, method of, 33, 391.
......, ..., minutes of, 391.
......, ..., sittings of, 391.
......, ..., reply to Assembly, 33, 33 III.
......, Council and Assembly of, address of, concerning Port Royal, 533 I., 554 IV.
......, ..., Memorial of, 691.
......, ..., Minutes of, 33 I.
......, Council Chamber, illumination of, 33 III.
......, Councillors of, 391 I.
......, Courts of Law, causes in, 391 V.
......, Court Martial, 33 III.
......, Custom house officers, 391.
......, Customs, Collector of, Commission of, 55, 58.
......, defence of, 33 III., 58, 292, 391, 533 I.
......, deserters in, 391 VIII.
......, H.M. Engineer in, 391.
......, Excise, 391.
......, Exports of, 391.
......, Fast in, 391 VII.
......, Fishery of, 391, 533 I., 554 I.
......, Fiske, John, case of, 391, 391 IV.
......, forts, fortifications of, 391.
......, ..., accounts of, 266, 391, 394 I.–V.
......, Governor of. *See* Dudley, Joseph.
......, Governor of, salary of, 33, 33 II.
......, Governor and Council, address of, 604.
......, Governor, Council and Assembly of, address of, concerning Port Royal etc., 860.
......, Governor and Council of; *and see* Canada expedition.
......, imports of, 391.
......, Indian warfare, horrors of, 533 I.
......, Indians, 58.
......, ..., danger from, 609.
......, ..., incursions of, 391, 428.
......, ..., ..., losses from, 533 I.
......, ..., objection to neutrality of Five Nations of, 533 I.
......, ..., trade with, 391; *and see* Indians.

Massachusetts Bay—*cont.*
......, inhabitants of, numbers of, 391.
......, ..., emigration of, 391.
......, Lt.-Governor of. *See* Stoughton.
......, Manufactures (woollen etc.), 391.
......, Militia of, 391.
......, Ministers of, maintenance of, 391.
......, Naval Stores in, 292, 391, 428, 430, 554 i., 670; *and see* Woods in.
......, negroes, duty on, 151, 292.
......, ..., imports and prices of, 151.
......, ..., not wanted in, 292.
......, Nova Scotia, grant of, to, 554 i.
......, Port Royal, addresses concerning, 533 i., 554 iv., 860.
......, ..., attack upon, proposed, 794 i.
......, post, 10.
......, powder duty in, 391.
......, powder magazine, 391.
......, Prerogative of the Crown, 391.
......, privateers, danger from, 666.
......, ..., French, 33.
......, Proclamations in, 391 vi.–viii.
......, products of, 391.
......, public papers of, 416, 417.
......, Quakers in, imprisoned as assessors, 391.
......, Revenue of, continued, 391.
......, Rehoboth, Congress of Governors at, 922 i., ii.
......, Seal, new, for, 40, 815.
......, Secretary of. *See* Addington, I.
......, shipping of, 391.
......, shipbuilding in, 391.
......, soldiers from, in New Hampshire, 260 i.
......, stores of war, accounts of, 391, 391 ii., iii., 394 i.–v.
......, ... for, 185, 292, 354.
......, supply, grant of, 391.
......, taxation of, 391.
......, Thanksgiving in, 391 vi.
......, trade with Carolina, 739.
......, ... Connecticut, 323.
......, ... Indians, 391.
......, ... Rhode Island, 229, 230 iii.
......, ... Virginia, 391.
......, ... West Indies, 151, 391.
......, trade, illegal in, 391.
......, ..., ..., methods of prevention, 391.
......, ..., lumber, 391.
......, ..., woollen, 391.

Massachusetts Bay—*cont.*
......, trade fleet, 417.
......, train oil, 391.
......, Treasurer of, salary of, 33, 33 ii.
......, War, cost of, 391.
......, woods in, waste of, 17, 17 i., 24, 33, 58, 391, 392, 428, 430.
......, ..., Act for preserving. *See* Act of.
Matanas, Indian spy, examination of, 621 iv. (*b*).
Mathews, —— (Carolina), 752.
Mathews, Sir William, late Governor of the Leeward Islands, 590, *p*. 78.
Matthews, Capt. (Antigua), 741.
Matthews, Thomas, R.N., letter to, 794 ix.
Matson, Mathew, 242 i.
Maxwell, Thomas, 180 iv. (*m*), 502, 583 lii., lv.
......, ..., document signed by, 274, 857 iii.
Maycock, Thomas, Treasurer of Barbados, 274, 502.
......, ..., charges against, 577, 577 i.
Mayne, Covill, 158 x.
......, Jos., 242 i.
Meadows, Sir Philip, Commissioner of trade, 350.
Medcalfe, Capt., 487.
Meddon, William, 158 ix.
Mein, Patrick, 180, 225 i., 321, 583 xliv.
......, ..., deposition of, 363.
......, ..., letter to, 892 iii.
Merionethshire, Mines of, 526.
Meriwether, George, document signed by, 187.
Merkin, Peter, 756.
Merrett, Solomon, letter from, 535.
Merrimack, River, 19.
Michll, —— (Newfoundland), 911 ix.
Michell, François Luis, settlement of, in Virginia, 601 i.
......, ..., grant of land to, 735.
......, ..., letter from, 639.
......, ..., petition of, 601 ii.
Mico, John, trial of, 391.
......, ..., bond of, 24.
Mill, Mary, wife of Mill, William, Capt., 583 xli.
Miller, Richard, 890 iii.
Milles, John, 583 viii., ix., xxii.
......, ..., document signed by, 513, 513 iii., v.
Milner, ——, letter to, 243.
Milward, 10 i., 848.
Mines, coal, N.E., 260.
...... Royal, United Society of London for, proposal for settling German Protestant Refugees, 526, 552 i., 595.

Mines—*cont.*
......, Spanish, 632.
Minis, 60.
Minors, Charles, deposition of, 231 ii.
......, ..., document signed by, 187.
Mississippi, French settlements on, 60, 544, 554 i.
......, Governor of, 60.
......, map and report concerning, 632.
Mitchell, John, Commodore, R.N., 152, 223 x., 890 iii.
......, ..., address to, 158 iii.
......, ..., document signed by, 223 xv.
......, ..., letters, reports, from, 158 vi., x., 223, 223 i.
......, ..., letter to, 195 i., 223 vii.
Mitchell, Thomas, letter from, 243.
Mitford, Cuthbert, case of, 126 i., 180 iv. (*i.*, *l*), 583 xxiv.
......, ..., warrant for arrest of, 180 iv. (*e*).
Mobile, French fort at, 632.
Modyford, Sir Thomas, 827.
Molasses, Act concerning, 391, 392.
Mombasa, expedition against proposed, 908 i.
Mompesson, Roger, 876.
......, ..., Councillor of New Jersey, 921.
......, ..., Chief Justice of New Jersey, 400, 935.
......, ..., document signed by, 819 i.
......, ..., opinion of, on pressing of seamen, 621, 621 i., 747 iii., iv.
......, ..., petition of, 627.
Monckton, Robert, Commissioner of Trade, 350.
Moniack, M., 60.
Monk's Hill; *see under* Antigua.
Mons, *v.* Churchill.
Montague, Charles, Earl of Manchester, 597 i.
Montegroe, —— (Antigua), 116.
Montour, ——, report by, 107.
Montreal, 217, 602.
......, attack upon, proposed, 196.
......, defences of, 621 iv. (*a*).
......, description of, 60.
......, expedition against, 387, 475–478.
......, Governor of, 60, 107, 621 iv. (*a*).
......, Lt.-Governor of, 60.
......, Town Major of, 60.
MONTSERRAT, 116, 182, 909 i.; *and see* Hodges, Anthony; Leeward Islands
......, Assembly of, Journal of, 5.
......, ..., Speaker of, 524 i.
Montserrat—*cont*,
......, Council of, clerk of, 484 xxx.
......, ..., Minutes of, 5.
......, Council and Assembly of, address of, 524 i.
......, ..., minutes of, 209.
......, Lt.-Governor of, 109, 150; *and see* Hodges, Anthony.
......, naval action off, 529 iii.
......, negroes in, 25, 109, 150, 484 xxi.
......, ..., imports of, 192, 192 i.
......, Papists in, 150.
......, stores of war, account of, 529 i.
......, trade with Carolina, 739.
......, trade with New York, 10.
......, trade with Rhode Island, 230 ii.
......, trade, illegal at, 150, 192, 193, 484 xxi., xxii., 597 i.
Moody, John, Capt., Commander of Garrison, St. Johns, Newfoundland, 554 i., 666.
......, ..., commendation of, 158 ii., iv.
......, ..., complaints against, 158 iv.
......, ..., letter from, 794 vii., ix., x., 798, 922 i.
......, ..., memorial by, 794 i.
......, ..., proposals by, for Government of Newfoundland, 486.
......, ..., proposal by, to attack Placentia etc., 922 i.
......, ..., report upon Newfoundland, 922.
......, ..., returns to England, 797.
Moore, late Governor of Carolina, 739.
......, Robert, 321.
......, W. A., deposition of, 180 iv. (*c*).
Mordaunt, Charles, Earl of Peterborough, 852.
Morgan, ——, privateer (Antigua), 445 i., 597 i.
Morgon, Edward, 487 ii.
......, Jacob, 443 i., ii.
Morris, ——, letter to, 243.
......, Lewis, Councillor of New Jersey, 11, 921.
......, ..., address of, 819 xii.
......, ..., charges against, 819 iii.
......, ..., restored to Council, 4, 104, 105, 924 i.
......, ..., Satires by, and on, 819 xii.
......, ..., suspended from Council, 578, 819 xiii., 924 i., 930.
......, Thomas (Antigua), 116 ii., 150 iii., 459 i.

Morris, Thomas—*cont.*
......, ..., case of, 484 xiv., 589 i., 597 i.
......, ..., deposition of, 150 ix. 589 vii.
......, ..., document signed by, 150 ii., 588, 589, 589 ii.
Mors, Obediah, 65 v.
Morton, Earl of. *See* Douglas, James.
Moseley, Edward, Boundary Commissioner, Carolina, 402, 813.
......, ... instruction to, 828.
Mountague, Sir James, Solicitor-General (1708), letter, reports from, 39, 99, 154, 169.
......, ..., ..., letter, reference to, 84, 113.
......, ..., Attorney General (1709), 264, 740, 915.
......, ..., letters, reports from, 545, 550, 553.
......, ..., letters, references, warrants to, 549, 686, 751, 784, 825, 845, 917, 926.
......, ..., opinions, reports by, 250, 703, 747 iv., 753, 807, 807 i., 830, 868.
Mowila Bay, French settlement in, 632.
Moxom, ——, letter to, 890 ix.
Mulberry Plantation, Carolina, 241.
Mumbee, Col., 573.
Mumby, Humphrey, 573 ii.
......, Valentine, 110, 138, 145, 208.
Murray, Andrew, 443 i., ii., 741.
Muscovy. *See* Russia.
Musgrave, Christopher, Clerk of the Privy Council, documents signed by, 97, 98, 101–104, 114, 269–272, 474, 698, 736, 750, 901–907, 909, 927-931.
......, C., Commissioner of Ordnance, document signed by, 306, 746.
Mutton, Capt., case of, 597 i.
Muy, M. du, 60.

N

Nairne, Sir David, 575.
......, Thomas, charges against, 662.
......, ..., letter from, 632, 662.
......, ..., opposition of, 662.
......, ..., persecution of, 662.
Nanfan, Eliza, case of, 583 xx., xxi.
Napper, George, 487 ii.
Naturalization. *See* German Protestant Refugees.
Naumkege. *See* Salem.
Naval Officers, appointed by Governors, 39.
Naval Stores (masts, pitch, tar, hemp, flax etc.), in the Plantations, 10, 17, 17 i.–iii., 19, 20 i., 30, 33, 33 iv., 44, 58, 60, 65 iii., 185, 292, 391-393, 533 i., 554 i., 609, 670, 705, 739, 794 ii., 891 i., 914 i.
......, imports of, from the Plantations, 418, 427, 438.
......, ..., premium on, 24, 428–430, 886, 898.
......, ..., encouragement of, Acts for etc., 24, 392, 429, 430, 914 i., ii.
Navigation, Acts of. *See* Acts of Parliament.
Navy, the Royal, 5, 11, 19, 26, 192, 216 i., 253, 254, 261, 421, 432, 586, 890 ii; *and see* Canada expedition; Convoys; Jamaica, Naval Squadron; Naval Stores; Prizes.
......, ..., and the Bahama Islands, 658, 660; *and see* Bahama Islands.
......, ..., complaints against, 895.
......, ..., engagement with French, 451.
......, ..., off Friends' Islands *See* Wager.
......, ..., ..., with Spanish galleons, alleged cowardice in, 56.
......, ..., Courts Martial, 56.
......, ..., manned by soldiers, 56, 376, 451; *and see* Jamaica.
......, ..., mortality in Jamaica, 68.
......, ..., movements of, 339.
......, ..., Officers of. *See* Baker; Fane; Gore; Huntingdon; Mitchell; Norbury; Smith; Stucley; Taylor; Wager.
......, ..., ..., trial of, 56, 68, 135.
......, ..., Port Royal, refusal to co-operate against, 794; *and see* Nova Scotia, Port Royal.
......, ..., sailors, lack of, 357, 382, 640, 649, 720, 731.
......, ..., ..., pressing of, in the Plantations, 68, 96, 248, 376, 621, 621 i.–iii., 702, 740, 747 i.–v., 753.
......, ..., H.M. ships. *See*:—
Adventure.
Advice.
Bristol.
Burlington.

Navy, the Royal, H.M. ships—*cont.*
Chester.
Coventry.
Crown.
Deptford.
Diamond.
Dolphin.
Dragon.
Dunkirk's prize.
Enterprize.
Falmouth.
Garland.
Greenwich.
Guernsey.
Hector.
Jersey.
Kinsale.
Larke.
Litchfield.
Looe.
Lowestoft.
Maidstone.
Nightingale.
Norwich.
Portland.
Portsmouth.
Roebuck.
Rye.
Scarborough.
Severn.
Triton's prize.
Valeur.
Warwick.
Weymouth.
Winchelsea.
Windsor.
......, ..., Spanish galleons, search for, 68.
......, ..., tobacco for, 295.
......, ..., H.M. Commissioners of, 470, 898.
......, ..., contracts with, 24; *and see* Collins, Francis.
Neal, Thomas, 274, 502.
Needham, Henry, 56. I.
Negro, shoots Governor Parke, 741. 852.
......, murderer, appeal for pardon of. 474 I.
Negroes, 10, 13, 25, 56, 116, 117 IV., 150, 328, 421, 445 I., 540, 583 XIII., XVII., 589 II., IX., 657 I., 786, 787; *and see* African Company; African Trade.
......, agents for sale of, 912.
......, ..., forbidden to act as Councillors, 453, 466, 471, 473.
......, Assiento trade, 134 I., 226 I.; *and see* Assiento.
...... (Antigua), 150, 150 III., 597 I.
......, ..., barbarous treatment of, in, 852.
......, imports and prices of, 109, 109 I.-III., 855 I.
Negroes—*cont.*
......, Barbados, 126 I., 228, 709 X., 855, 855 I., 892 III.
......, ..., imports of, into, 248, 277.
......, Bermuda, 73.
......, Carolina, 73, 331, 739.
......, Connecticut, 323, 328.
......, imports of, into the Plantations, 328, 330, 331, 855, 855 I.
......, imports of, report upon, 331.
......, Jamaica, 67 I., 81, 142, 142 III., 151, 208, 243, 247, 331, 347, 573, 855, 855 I.
......, Leeward Islands, 151, 193, 194 III., 209, 484 XL., 532, 855, 855 I.
......, ..., imports of, into, 25, 109, 109 I.-III., 245, 855, 855 I.
......, ..., numbers needed for, 331, 531.
......, Martinique, 487 IV., 709 X.
......, Maryland, 745.
......, ..., imports of, 10, 197, 197 I., II.
......, ..., numbers required for, 331.
......, Massachusetts Bay, imports of, 151, 292.
......, ..., import duty on, 292.
......, Montserrat, 25, 109, 150, 484 XXI.
......, ..., imports of, 192, 192 I.
......, Nevis, 25, 109, 331.
......, New England, not wanted in, 292.
......, New Hampshire, 155.
......, New Jersey, punishment of, in, 821.
......, New York, imports of, 10, 400.
......, ..., numbers required for, 331.
......, numbers needed for the Plantations, 331.
......, not profitable in the Northern Plantations, 151, 292.
......, price of, 25, 331, 855, 855 I., 892 II.
......, punishment of, 821, 778, 792, 821.
......, ..., Act for, repealed, 778, 792.
......, Rhode Island, 228, 230 I.
......, ..., imports of, 228.
......, runaway, 539.
......, Spanish West Indies, imports of into, 525 I.
......, ..., tax upon imported, 151.
......, Trade, the, 73, 94, 94 I.–III., 134 I., 193, 328, 331, 855, 855 I.
......, ..., from Boston, 151 I.

Negroes, Trade—*cont.*
......, ..., return of, required, 347, 910.
......, ..., Barbados, 228.
......, ..., Jamaica, 243, 247, 542.
......, ..., Leeward Islands, 484 xl.
......, ..., ..., petition concerning, 892 iii.
......, ..., with Spaniards, 210.
......, ..., Scotland, 243; *and see* Assiento; African Co.; Traders, Separate.
......, Virginia, 73, 216, 216 i., 421, 855, 855 i.
......, ..., imports and prices of, 10, 215, 215 i., ii., 655, 855, 855 i.
......, ..., numbers required for, 331.
Nelson, Capt., 72.
Neptune, sloop, case of, 583 ii.
Nesbit, James, 443 ii.
Netheway, Thomas, 158 ix.
Neutrality, Treaty of, 554 i.
Nevine. *See* Nivine.
Nevis, 182, 505; *and see* Leeward Islands; Parke, Daniel.
......, Acts of, 530.
......, ..., repealed, 269, 311, 531.
......, Act *for establishing Courts*, 113, 169, 530.
......, ..., report upon, 250, 264.
......, ..., repealed, 269, 311.
......, Act *to oblige settlement of debts etc.*, 187, 188.
......, ..., directions concerning, 209.
......, ..., opposition to, 187, 188.
......, Act *for stopping proceedings of Courts*, 187, 188.
......, address from, 487.
......, and the African Company, 25.
......, Assembly of, 187, 264.
......, ..., Journal of, 5.
......, ..., seat of, 250.
......, ..., General at, 84, 99.
......, Charles Town, 250.
......, Council of, 9.
......, ..., minutes of, 5, 187.
......, Commissioners for, Secretary of, 251.
......, Council and Assembly of, 127, 487.
......, ..., address from, 187.
......, ..., complaints against, 187.
......, Councillors of, 34, 198, 335, 531, 878.
......, Courts of, 187, 264.
......, defence of, 597 i.
......, emigration from, to New York and Philadelphia, 10.

Nevis—*cont.*
......, exports and imports of, 192.
......, grant of provisions to, in aid of, 127, 130, 487, 878.
......, ..., embezzlement of, suspected, 130.
......, hostages of, 546.
......, hurricane in, 209.
......, Lt.-Governor of, letter from, 597, 865.
......, ..., and Council of, 531; *and see* Hamilton, Walter.
......, losses of, 5.
......, Merchants of, letter from, 187.
......, Naval Officer of, 192.
......, Negroes in, 25, 109, 331.
......, Provost Marshal of, 264.
......, raid on, 25, 331, 597 i., 855.
......, Secretary of, 250.
......, sickness at, 487.
......, trade of, 554 i.
......, ..., with Carolina, 739.
......, ..., with New York, 10.
......, ..., with Rhode Island, 230 ii.
Newark, 819 x.
Newbold, ——, 11 i.
New Castle. *See* New Hampshire, Fort William and Mary.
Newell, Thomas, Capt., 459 i., 597 i.
......, ..., deposition of, 150 xvi., 589 xxiv.
New England, 597 i., 748; *and see* Dudley, Joseph; Massachusetts Bay; New Hampshire; Canada Expedition.
......, Boundaries of, 554 i.
......, Canada Expedition, quota for, 196, 387, 475–478, 604, 666, 691, *p.* 50.
......, ..., pay of, 666.
......, ..., popularity of, 663.
......, ..., preparations for, 617, 691.
......, Canada, attack from, expected, 196.
......, ..., proposal for reduction of, 609.
......, coal for, 663.
......, coins, clipping of, in, 10.
......, defence of, 670, 922 ii.
......, embargo in, 604.
......, exports of corn, 10, 779.
......, ... of potash, 27 vi.
......, fishery, 60, 803, *p.* 49.
......, fortifications of, 266.
......, French, damages caused by, 60, 691.
......, frontier scouts, 196.
......, Governor of. *See* Dudley, Joseph; Canada Expedition.
......, ..., instructions to, for recovery of the Bahama Islands, 658, 660.

New England—*cont.*
......, guardship for, 798.
......, Indians, attack by, 621 IV.
......, ..., Eastern, frontier warfare with, 554 I.
......, ..., objection to neutrality of the Five Nations of, 554 I.
......, mast fleet, 10, 266, 797.
......, masts in, licence to cut, 44.
......, passes for, 372 I.
......, Port Royal, attacks upon, 60, *p.* 49.
......, privateers, 890 II.
......, ..., losses from, 19, 691, 803.
......, resources of, 60.
......, shipping of, 608, 655.
......, stores of war for, 114.
......, trade of, 10, 60, *p.* 49.
......, ..., with Barbados, 779.
......, ..., with Bermuda, 231 IV.
......, ..., with Leeward Islands, 779.
......, ..., with Newfoundland, 859 I.
......, ..., with New York, 10.
......, ..., with Portugal, proposed, 761.
......, ..., with Virginia, 216 I.
......, trade, illegal, in, 10.
......, woods, waste of, in, 609, 663, 693.
New Englanders at Newfoundland, 223 I.
......, carry off Newfoundland seamen, 859 I.
NEWFOUNDLAND, 60, 348, 666; *and see* Benger, Mrs.; Campbell, James; Cummings A., Ferryland; Lloyd, Major: Moody, John, Capt.; Placentia.
......, Admiralty, Court of, proposed for, 119.
......, convoy for, 288 I., 562, 562 I., 566 I., 567 I., 890 VII.
......, ..., Commodore of, 158 II., 461; *and see* Mitchell, John; Taylor, Joseph.
......, ..., ..., instructions to, 158.
......, expedition against, 602-604.
......, ..., abandoned, 612.
......, ..., forces for, 475-478.
......, ..., instructions concerning 387, 475-478, 492, 497, 498, 794 X., XII.
......, ..., proposal by Lord Cornbury for, 107.
......, exports of, 859 III.
......, Fishery of, 49 I., 619 I.
......, ..., account of, 158, 554 I. 859 III.
......, ..., history of, 554 I.
......, ..., importance of, 535 I.
Newfoundland, Fishery of—*cont.*
......, ..., report on, 223 I.-VI.
......, ..., sailings for, 62, 283 I., 358 I.
......, Fishing Admirals of, 158 IX., X.
......, ..., certificate by, 158 IX.
......, Fleet expected at, 890 II.
......, French in, history of, 554 I.
......, ..., encroachments by, 519, 535 I., 548.
......, ..., losses from, 548.
......, ..., prisoners in, 859 I.
......, ..., report upon, 554 I.
......, French, Indians in, 890 II.
......, garrison at, 158, 158 II.
......, ..., let out to hire, 158 II., 158 X.
......, Governors commissioned by Commodore Taylor, 756 (*b*)., 911 XV.
......, Great Bank, French fishery at the, 554 I.
......, harbours of, 223 II.
......, Heads of Enquiry for, 460, 461.
......, Independant Company at, supplies for, 300, 309, 329.
......, ..., Agent of. *See* Thurston, J.
......, Indians, French, 890 II.
......, inhabitants of, 223 II., IV.
......, ..., addresses of, 158 II.-VI.
......, ..., complaints of, against Major Lloyd, 158 II., 223.
......, ..., petition of, for protection, 922.
......, ..., ransom of, 890 III., IV., 922.
......, ..., resettlement of, 922.
......, Lloyd, Major, charges against, 158 II., 223, 911 IX.; *and see* Lloyd, Thomas.
......, merchants trading to, memorial by, 535 I.
......, Minister, maintenance of, 158 X.
......, New Englanders at, 223 I.
......, ..., carry away seamen, 859 I.
......, Officers list of, 859 II.
......, Officers commissioned by Commodore Taylor, 756 (*b*).
......, papers concerning, 894.
......, passes for, 372 I.
......, Placentia, Governor of. *See* Subercasse, M.
......, prisoners, 604.
......, ..., exchange of, 195, 195 I.
......, ..., at Placentia, 922.
......, ..., returned by French, 195.
......, Proclamation concerning, 47.
......, reports upon, 223, 223 I., 859, 859 I., 922.

Newfoundland—*cont.*
......, St. Johns, 158 X.. 223, 223 I., 260, 497 ; *and see* Brouillan.
......, ..., appeal for protection from, 890 VII.
......, ..., boom for, 223 I., VII., VIII.
......, ..., capture of, by the French, 259, 345, 348 I., 461, 554 I., 604, 859 I., 890 IX.
......, ..., ..., account of, 890 II., 911 IX.–XII., 922.
......, ..., ..., attributed to Lloyd's neglect, 911 IX.
......, ..., condition of, 859 I.
......, ..., defence of, 195, 558 I., 833.
......, ..., Fort William, accounts of, 223 IX.
......, ..., ..., destruction of, 890 II., 922.
......, ..., ..., plan of 887, 890 I.
......, ..., ..., rebuilding of 859 I., 922.
......, ..., ..., ..., materials for, 911 XIII., XIV,
......, ..., French attacks, 833.
......, ..., garrison of, 223 IX.–XV., 833.
......, ..., ..., hiring of, 911 IX., XI.
......, ..., ..., Governor, and Commander in Chief of, 756 (*b*) ; *and see* Collins, John.
......, ..., ..., history of, 554 I.
......, ..., hostages taken from, 890 II.
......, ..., inhabitants of, 195.
......, ..., ..., killed at capture of, 911 IX.
......, ..., ..., ransom of, 859 I., 890 II.–IV., VI.
......, ..., Minister of, salary of, 911 XI.
......, ..., prisoners from, 859 I., 890 II.
......, ..., ..., provisions needed for, 833, 859 I.
......, ..., state of, 158.
......, ..., stores of war at, accounts of, 223 X.–XIV., 756, 859 II.
......, ..., ..., for, 288, 288 I., 329, 890 VIII.
......, ..., trade of, 890 VII.
......, seamen carried off by New England sloops, 859 I.
......, soldiers enlisted at, 152, 158, 282.
......, Spanish ship at, 223 I.
......, trade of, 158, 223 I., 859 III.
......, trade with Canada, 859 IV.
......, trade with New England, 859 I.

Newfoundland—*cont.*
......, trade with Spain, 223 I.
......, trade, illegal, at, 118.
Newham, Jos., 756.
NEW HAMPSHIRE, 60 ; *and see* Dudley, Joseph ; Allen, Thomas ; Usher, John ; Vaughan, George ; New England.
......, Acts of, 391.
......, Act of, *for encouraging making of tar and Naval stores*, 292, 392.
......, ..., *concerning molasses and indigo*, 392.
......, ..., *for preservation of mast trees*, 2, 17, 17 III., 391, 428, 914 I.
......, Act of Parliament, ignored in, 663.
......, Acts of Parliament, published in, 392.
......, Agent of. *See* Vaughan, George.
......, addresses from, 65 II.–VI., 260.
......, Allen, Thomas, case and claim of, 2, 58, 65 III., 391, 392.
......, Assembly of, 2, 2 I., 19, 123, 392.
......, ..., address of, 19, 65 III., 393.
......, ..., Agent of. *See* Vaughan, George.
......, ..., Journal of, 2.
......, ..., sittings of, 391.
......, ..., Speaker of, 65 II.
......, Canada, Expedition against, 604 ; *and see* Canada Expedition.
......, ..., cost of, 794 IV.
......, ..., quota for, 196, 691, 794, 794 I.
......, Canada, proposal for reduction of, 19.
......, Castle. *See* Fort William and Mary, *infra.*
......, coins, currency of, 157 I., 663.
......, Collector in, 123.
......, Council of, 260, 260 I.
......, ..., minutes of, 2, 2 I., 391.
......, Councillors of, 30, 266, 292, 392 I.
......, ..., appointed for, 439.
......, ..., proposed for, 391, 392, 415.
......, ..., warrants for, 391, 392.
......, Council and Assembly of, 17.
......, ..., addresses of, 65 II., IV.
......, Courts of, causes in, 391, 392 II.
......, ..., proceedings of, 663.

New Hampshire—*cont.*
......, defence of, 2, 19, 65 II., IV., 123, 292, 392, 393, 458.
......, ..., neglect of, 260, 260 I.
......, ..., proposals for, 185.
......, ..., distress in, 19, 65 II., III.
......, embargo laid in, 260 I.
......, enumerated commodities in, 392.
......, export of timber, 118.
......, fishery of, 19.
......, Fort William and Mary (Castle), 19, 65 II., 260 I., 306, 307, 391–394, 394 VI., VII.
......, ..., construction of, 185.
......, fortifications of, accounts of, 266.
......, forts of, report upon, 123.
......, French, frontiers, defence of, 60, 65 II.–IV., 260, 260 I., 458.
......, garrison, petition for, 19, 392, 393.
......, guardships, petition for, 19.
......, Indian warfare, 17, 19.
......, Indians, incursions etc. by, 30, 65 II.–IV., 392, 393, 428, 609.
......, ..., protest against neutrality of Five Nations, 19.
......, inhabitants of, numbers of, 392.
......, ..., emigration of, 393.
......, Justices of, address from, 65 V.
......, lands in, grants of, 663.
......, lands purchased from Indians, 65 III.
......, Lt.-Governor of. *See* Usher, John.
......, losses of, 185.
......, loyalty of, 392.
......, Mason, claim of, 65 III.
......, Ministers of, address from, 65 VI.
......, manufactures in, 663.
......, Massachusetts Bay Government and, 19.
......, Militia of, 123, 260.
......, Naval Stores in, 2, 19, 60, 65 III., 185, 292, 392, 393, 428, 430, 458.
......, negroes in, 155.
......, packet boats, request for, 19.
......, population of, 19.
......, Port Royal, proposal for reduction of, 19, 794 I.
......, powder duty, 185, 391.
......, Proprietor of. *See* Allen, Thomas.
......, quit-rents in, Lt. Governor Usher's proposal for, 663, 663 I.

New Hampshire—*cont.*
......, resources of, 19.
......, Revenue of, continued, 391.
......, Seal, new, for, 40, 815.
......, shipbuilding in, 392.
......, shipping of, 392.
......, soldiers from Massachusetts, 260 I.
......, stores of war for, 92, 93, 114, 114 I., 185, 205, 332, 354, 797.
......, ..., accounts of, 123 II., 306, 307, 391, 392, 394 VI., VII.
......, ..., petitions etc. for, 19, 45, 54, 65 II., 123, 123 I., 392, 393.
......, supplies granted for war, 391.
......, towns of, 19.
......, trade of, 19, 65 III., 392.
......, ..., with Massachusetts Bay, 19.
......, ..., with Spain and Portugal, 118.
......, ..., with West Indies, 19.
......, ..., illegal, in, 19.
......, Treasurer of, 2, 2 I., 260, 392.
......, Union, Act of, published in, 79, 392.
......, ..., ..., congratulations on, 65 IV.
......, woods, H.M., waste of, in, 17, 24, 58, 428, 430.
......, ..., protection of, 428, 430, 458.
......, woollen manufactures in, 663.
Newhaven (Conn.), 604.
NEW JERSEY, 293; *and see* Hyde, Edward; Morris, Lewis; Ingoldesby, Richard; Hunter, Robert.
......, Acts of, 621, 819 XI.
......, Act of, *for bills for* £3,000, 621.
......, Act *for encouragement of volunteers*, 621.
......, ... regulating negroes, 778, 792, 821.
......, ... of Parliament ignored, 621.
......, Auditor, deputy, of, 11.
......, Canada Expedition, the, 196, 604, 617, 629, 819 XI., 935; *and see* Canada Expedition.
......, ..., quota for, 387, *p.* 50.
......, ..., ..., refused, 578, 604, 605.
......, ..., money for, refused, 617.
......, ..., ..., voted, 617, 621.
......, Assembly of, 400, 440, 578, 617, 847 II., III.,
......, ..., address by, 440, 819 II., 935.

New Jersey, Assembly of—*cont.*
......, ..., complaints against, 64, 440, 819 I., III.
......, ..., Journal of, 11, 400, 819 V.
......, ..., loyalty of, affirmed by, 440.
......, ..., proceedings of, 621.
......, ..., Quakers in, 440.
......, ..., qualification of members of, 11.
......, ..., quarrel with Council, 604, 921.
......, ..., ..., instruction concerning, 924 I.
......, ..., revenue and militia refused by, 11.
......, ..., revenue appropriated by, 621.
......, ..., speech to, 847 II., III.
......, attractions of, 10.
......, census of, 11.
......, Chief Justice of. *See* Gordon, Thomas ; Mompesson, Roger.
......, coinage, currency of, 157 I.
......, ..., Act *for ascertaining rates of foreign*, ignored, 621.
......, Council of, 4, 11, 11 I., 621.
......, ..., minutes of, 11, 400, 578, 819 XIV.
......, ..., President and, letter to, 800, 820, 821, 839, 840.
......, ..., quarrel with Assembly of, 604, 921.
......, ..., ..., instruction concerning, 924 I.
......, Councillors of, 11, 11 I., 104, 105, 578, 819, 819 VIII., 876, 921, 924 I., 930.
......, Custom house Officers, 11.
......, damages caused by French, 60.
......, defence of, 819 III., *p.* 47.
......, exports of, 11.
......, factions in, 924 I.
......, ..., instructions concerning, 921.
......, Freeholders of Middlesex, petition of, 876 I.
......, Governor of. *See* Lovelace, Lord ; Hyde, Edward ; Hunter, Robert.
......, Governor of, instructions to concerning Canada Expedition, 604.
......, Indians, danger from, 609.
......, ..., the Five Nations of, 60.
......, Lt.-Governor of. *See* Ingoldesby, Richard.
......, ..., salary of, 440.
......, Lt.-Governor and Council of, address from, 440, 819 I., III., IV., VI.
......, ..., enquiry concerning, 64.
......, ..., letter from, 819 I.

New Jersey—*cont.*
......, manufactures, linen and woollen, in, 11.
......, Militia of, 10, 11, 819 III.
......, Naval Stores in, 429.
......, Negroes, punishment of, in, 821.
......, prerogative of the Crown, 440.
......, proclamation for raising volunteers in, 629.
......, Proprietors of, memorial of, 819 IX., 876.
......, Quakers in, 11, 440, 578, 604, 605, 819 III., VI.
......, ..., exclusion of, from Government proposed, 604, 605, 617, 621.
......, ..., oppose grants and quotas for Canada Expedition, 617, 621.
......, quit rents, refusal to pay, 819 X.
......, revenue of, 11, 440, 578, 621, 819 III.
......, ..., accounts of, 11, 400, 847, 847 I.
......, salaries owing in, 847.
......, Seal, new, for, 40, 815.
......, Secretary of, 621.
......, ships, 11.
......, ships entered and cleared, 400.
......, ship building, 11.
......, trade of, with Barbados, 11.
......, ..., with New York, 11.
......, ..., with Pennsylvania, 11.
......, ..., with Rhode Island, 230 II.
......, ..., ..., illegal in, 11.
......, Union, Act of, published in, 11.
......, woollen manufactures in, 11.
New London (Conn.), 10.
Newman, Michael, letter from, 22.
New Mexico, 632.
Newnam, Mathew, case of, 18, 46.
......, ..., ..., fine of, remitted, 576.
Newport, 230 ; *and see* Rhode Island.
......, G., letter from, 577.
......, ..., deposition of, 577 I.
......, T., Commissioner of Customs, document signed by, 27 V.
New Providence. *See* Bahama Islands.
Newton, ——, lands of, 848.
New York, 290, 293, 410, 411, 421 ; *and see* Albany ; Fane, Capt. ; Hyde, Edward ; Indians, Five Nations of ; Hunter, Robert ; Livingston, Col.; Lovelace, Lord ; Norbury, Capt.
......, Acts of, 621, 879.

New York, Acts of—*cont.*

......, ..., confirmed, 902.

......, Act of, *concerning bolting*, 10.

......, ..., *for preventing corruption of current coin*, 157, 157 I., 375.

......, ..., repeal of, 399, 429, 621.

......, ... *for ascertaining officers' fees*, objections to, 621, 888.

......, ..., petition against, 768, 769.

......, ..., repeal of, 901.

......, ..., report on, 879.

......, ..., instructions concerning, 903, 924 II., 929.

......, ..., *concerning Militia*, 10.

......, ... *to enable the City to raise* £600, repealed, 901.

......, ..., report upon, 879.

......, ... *for levying* £4,000, report upon, 879.

......, ... *for levying* £6,000, 901.

......, ..., report upon, 879.

......, ... *for bills of credit*, 901.

......, ..., report upon, 879.

......, ... *for the easier partition of lands*, 818, 851.

......, ... *to relieve from divers irregularities*, 621, 818, 851.

......, ..., repeal of, 901.

......, ..., report upon, 879.

......, ..., *Revenue*, 848.

......, ..., ..., expiration of, 621.

......, ... of Parliament, ignored in, 621.

......, address from, 708.

......, Assembly of, 10, 20 I., 107, 157, 578, 604, 621, 768, 769; *and see* Canada Expedition.

......, ..., adjournment of, from New Jersey, 10.

......, ..., Journal of, 10, 400, 587, 621 V.

......, ..., country and town members of, 10.

......, ..., proceedings of, 888.

......, ..., Revenue appropriated by, 621.

......, Attorney General of, 10, 11, 35, 36, 66; *and see* Rayner, John; Broughton, S.

......, ..., enquiry concerning, 61.

......, ..., leave of absence of, 621.

......, ..., opinion of, on pressing, 621, 621 II.

......, ..., salary of, 621.

......, Auditor, Deputy of, 10.

......, Canada Expedition, address concerning, 708.

......, ..., Conference concerning, at, 604.

......, ..., cost of, 879.

New York, Canada Expedition—*cont.*

......, ..., failure of, to assist, 498, 794.

......, ..., interests divided, 617.

......, ..., instructions to Governor of, concerning, 387, 388, 498, 604.

......, ..., preparations for, 604, 617, 621, 629, 666.

......, ..., quota for, 196, 387, 388, 498, 666, 691, 794, 794 I., II., *p.* 50.

......, census of, 10.

......, Chief Justice of, opinion of, on pressing, 621, 621 I.

......, ..., 400; *and see* Mompesson, R.; Atwood, William.

......, City Regiment of, 387.

......, coinage, currency of, 10, 157, 375, 399, 879.

......, ..., rates of, 768.

......, ..., Act concerning, repealed, 621.

......, ..., *for ascertaining rates of foreign*, ignored, 621.

......, Collectors of Customs in, 10, 20 I.

......, Commissioners to, from Mass. Bay, 604.

......, Commissioners for Indian affairs, 107, 621 IV.

......, convoys, 396, 571.

......, Coroners, election of, 621.

......, Council of, 429, 604, 621, 768, 796, 842 I., 888, 903.

......, ..., address of, 847 II., III.

......, ..., Clerk of, 10.

......, ..., grants of land, 848.

......, ..., minutes of, 10, 400, 578.

......, ..., opinion of, on pressing, 621, 621 III.

......, ..., President of, 604, 796.

......, ..., President and, 796.

......, ..., instruction to, 816.

......, ..., letter to, 838, 839, 841, 842, 842 I., 843, 866.

......, Council and Assembly of, minutes of, 107.

......, Councillors of, 10, 10 I., 610, 617, 849, 850, 924 I.

......, cruisers proposed for, 10.

......, damages caused by French, 60.

......, defence of, 10, 705, *p.* 47.

......, deserters from H.M. ships, 924, 925.

......, embargo in, 604.

......, emigration from, 10.

......, English title to, 554 I.

......, exports of, 10, 779.

......, factions in, 802.

......, fees of officers, lawyers etc. in, 851, 879; *and see* Act *for ascertaining*.

......, fishery of, 10.

New York—*cont.*
......, flour trade, and bolting, 10, 779.
......, Fort St. Anne, 849, 849 I.
......, fortifications, tax for, 10.
......, French encroachments in, 517.
......, French Minister's salary, 38.
......, frontier scouts, 196.
......, German Protestant Refugees, settlement of, in, 171 I., 401, 881, 882, 885, 891 I.
......, ..., contract of, 915–918 I., 923.
......, ..., provision for, 710; *and see* Kocherthal, J.
......, Governor of, 632; *and see* Andross, Sir Edward; Hyde, Edward; Hunter, Robert; Indians; Lovelace, Lord.
......, ..., instructions to, 794 IX.
......, ..., ..., for recovery of Bahama Islands, 658, 660, 794; *and see* Hunter, Robert.
......, ..., journey of, to Albany, 848.
......, Governor, Council and Assembly of, address of, 157, 157 I.
......, Independent Companies at, 128, 387, 493.
......, Indians, danger from, 609.
......, ..., Five Nations, the, 10, 60; *and see* Indians.
......, inhabitants of Nevis at, 10.
......, lands in, grants of, 81, 848.
......, ..., instruction concerning, 20 I.
......, lawyers of, petition of, 768.
......, ..., fees of. *See* Act *for ascertaining.*
......, Lt.-Governor of, 768; *and see* Ingoldesby, Richard.
......, ..., salary of, 440.
......, manufactures in, 10, 70.
......, Mayor of, 924 I.
......, ..., prosecution of, ordered, 925.
......, Militia of, 10.
......, Minister at, salary and house rent of, 621, 701.
......, naval stores in, 17, 70, 429, 705, 891 I.
......, ..., preservation of, 20 I.
......, negroes imported, 10, 400.
......, ... required for, 331.
......, neutrality agreement with Canada, 554 I.
......, ..., complaints against, 458.
......, officers of, provision for, insufficient, 621.
......, ..., fees of, instructions concerning, 903, 924 II., 929; *and see* Act *for ascertaining officers' fees.*

New York—*cont.*
......, patents in, records of, lost, 621.
......, post, 10.
......, pressing of sailors for navy, 621, 621 I.–III., 702, 740, 747 I.–V., 753.
......, privateers of, 10.
......, quit rents, 20 I., 621.
......, Receiver General of, 848.
......, Revenue of, 621, 848.
......, ..., accounts of, 10, 400.
......, Seals, new, for, 40, 815.
......, Secretary of, 20 I., 578.
......, shipbuilding in, 10.
......, ships belonging to, 10.
......, ships entered and cleared in, 400.
......, stores of war in, 604.
......, ..., accounts of, 400, 849, 849 I.
......, Surveyor General of, 20 I.
......, tar manufacture in, 17.
......, trade, decay of, 10.
......, trade with Barbados, 396, 779.
......, ... Bermuda, 231 IV.
......, ... Canada, 617.
......, ... Carolina, 739.
......, ... Connecticut, 323.
......, ... Curaçoa, 10.
......, ... Great Britain, 157 I.
......, ... Jamaica, 448.
......, ... Leeward Islands, 779.
......, ... New Jersey, 11.
......, ... Portugal, proposed, 761.
......, ... Rhode Island, 230 II.
......, ... Surinam, 10.
......, ... St. Thomas, 10.
......, ... Virginia, 216 I.
......, ... West Indies, 10, 157 I.
......, trade, illegal, in, 10, 66.
......, Treasurer of, 879; *and see* Depeyster, Col.
......, Union, Act of, published in, 10.
......, woods in, preservation of, 429.
......, ..., waste of, 20 I.
......, woollen and linen manufactures, 10.
Nicholl, W., document signed by, 157 I.
Nicholls, John, 911 IX.
......, William, 890 II.–IV.
Nicholson, Fort, 794 I.
......, Francis, Col., 498. 578, 621, 663, 670, 794 I., II.; *and see* Canada Expedition.
......, ..., appointed Commander in Chief, Canada Expedition, 604, 617, 629, 691.
......, ..., address to, 819 XI.
......, ..., arrival of, at Boston, 604, 691.

Nicholson, Francis—*cont.*
......, ..., arrival of, at New York, *p.* 402.
......, ..., commendation of, 794 III., 798, 806.
......, ..., document signed by, 794 I., II., 819 VI., 922 II.
......, ..., expences of, 604.
......, ..., instructions to, for Canada Expedition, 387, 388.
......, ..., letter from, 604, 605, 629, 794, 794 VII., IX., X.
......, ..., letter to, 580, 838, 922 I.
......, ..., return of, to England, 797, 803, 888.
......, ..., visits Albany, 666.
......, ..., ... New Jersey, *p.* 404.
......, ..., ... Rhode Island, 604.
Nicks, Samuel, 756, 890 III.
Nightingale, H.M.S., 223.
Nisbett (Nisbitt), James, 487 II., 597 I.
Nivine, William, 183 III., 193, 377, 381, 459 I., 531, 532, 589 II., III., VIII., 597 ; *and see* Parke, Daniel.
......, ..., charges of, against Governor Parke, 116, 148, 150, 194, 484 XXXIII.. 625.
......, ..., letter from, 484.
......, ..., petition of, 730, 873.
......, ..., supposed loss of, 852.
......, ..., taken prisoner to France, 741.
Norbury, Capt. R.N., 10,
......, ..., complaint against, 709.
Norden, Nathaniel, 391 I.
Norris, Richard, document signed by, 443 III.
......, Robert, 720.
......, William, Naval Officer at Jamaica, 56 I., 167.
......, seizure by, 451, 451 II., 573, 573 II.
Northoner, Robert, 529 III.
Norton, Henry, 487 II.
Norwich, H.M.S., 684.
Norwood, John, Commissioner of Customs, Nevis, 193, 531, 878.
Nott, Edward, late Governor of Virginia, instructions to, 216 I., 883.
Nova Francia, 554 I.
Nova Scotia and Port Royal, 60.
......, acquisition of, urged, 554 I., 609, 794 II., III., 806, 860.
......, Alden, Capt., memorial of, concerning, 554 III.
......, boundaries of, 60, 554 I.
......, claims of English and French to, report upon, 554 I.
Nova Scotia and Port Royal—*cont.*
......, coal in, 609, 663.
......, Cromwell seizes, 554 I.
......, Expedition against, command of, 798.
......, ..., proposed, 794, 794 I.–XII., 798, 922 II.
......, ..., abandoned, 798.
......, ..., miscarriage of, 33 III.
......, ..., Navy refuses to join, 794, 794 I.–III., V.–XII.
......, ..., New York fails to assist, 794.
......, ..., quotas for, 794, 794 I.
......, ..., petitions for renewal of, 794, 794 I.–III., 798, 803, 806, 860.
......, fishery of, 609, 794 II.
......, ..., French claim to, 554 I.
......, ..., French, the, sale of, to, 60.
......, French Governor of, 554 I.
......, fur trade of, 794 II.
......, Naval stores in, 554 I., 609, 794 II.
......, Port Royal, "the American Dunkirk," 609, 794, 798, 803.
......, privateers, 794 II., III., 803.
......, settlement of, proposed, 392.
Nowlan, A., deposition of, 573 II.
Nuestra Senora de Begona, Spanish ship, 372 I.
Nusum, John, deposition of, 583 XXXVII.

O

Ochasee, River, 739.
Ockman, W., 158 X.
Odiorn, 859 IV.
Odlin, John, 65 VI.
Oesterman, Thomas, 443 I., II.
Oglethorp, Richard, 487 II.
Oldfield, Francis, 142, 167, 172, 208, 247, 452, 453, 466.
......, ..., petition of, 139 I.
Oliver, Richard, 145.
......, document signed by, 487 II. 588, 589, 589 II.
......, Thomas, speaker of Assembly of the Massachusetts Bay, document signed by, 33 III., 533 I.
Oneides, Sachem of, 107.
Oneyade, Fort at, 621 IV. (*a*), (*c*).
Onondagas, Sachem of, 107 ; *and see* Indians, Five Nations of.

Onslow, Thomas, document signed by, 361, 365.

......, ..., petition of, 525 I.

...... (? Thomas), proposal by for settling Palatines in Jamaica, 665, 667 I.

Oporto, 284.

Orby, Sir Charles, appeal of, 444.

Ordnance, Commissioners of H.M., 185, 205, 227, 266, 290, 332, 381, 387, 391, 392, 396, 421, 542, 597 I., 604.

......, ..., accounts for, 59.

......, ..., letter from, 114, 306, 746.

......, ..., letter to, 83, 93, 307, 396 I., 757.

Orkney, Earl of, Governor of Virginia. *See* Hamilton, Lord George.

Orleans, Island of, 196.

Ormston, John, 11.

Osborn, Humphrey, 487 II.

Osborne, Peregrine, Marquis of Carmarthen, proposal of, for reduction of pirates at Madagascar, 557 I., 908 I., VI.

......, ..., proposal of, for taking Mombasa etc., 908 I.

......, ..., letter to, 622.

Otis, John, 391 I.

Otto, 852. *See* Bayer.

Outerbridge, Samuel, 637, 644.

......, William, deposition of, 231 I.

P

Packer, Thomas, 415, 439.

Packet boats for West Indies, 255, 505, 513, 531, 532, 586, 589 XXVII., 679, 683, 722, 749, 912.

......, capture of, 10.

......, need of, 10, 19; *and see* Dummer, E.

Paence, ——, letter to, 890 IX.

Page, John, 216 III.

Page, Richard, 890 IV.

Paggen, Peter, document signed by, 855.

Palatines. *See* German Protestant Refugees.

Pamunkey Neck (Va.), 655.

Panama, 720 I.

......, Governors of, 525 I.

Panton, J., 194 II., 597 I.

Papists, 131, 131 III., 150, 290, 296; *and see* Roman Catholics.

Paradise, Little, 859 IV.

Parke, Daniel, Governor of Leeward Islands, 9, 145, 367 IV., 541; *and see* Chester, Edward; Codrington, Christopher; Leeward Islands; Antigua; Nivine, W.; Dominico.

......, ..., address to, 116 II., 150 I., 187, 531, 532, 597 I.

......, ..., ..., in favour of, 116, 313, 487 II., 488, 524, 638, 641.

......, ..., Admiralty tenths, 484 XX., XXI.; *and see* privateers.

......, ..., assassination attempted of, 741, 852.

......, ..., ..., quoted by Governor Crowe, 748.

......, ..., bribery of, attempted, 5, 150, 193, 531, 532, 597 I.

......, ..., Blenheim, battle of, herald of news of, 597 I.

......, ..., Chancery Court, decrees etc. of, in, 182, 531, 532, 597 I.

......, ..., charges, complaints against, 91, 148, 150, 182, 183, 187, 245, 359, 367, 381, 443 I.–III., 459 I. 465 I., 484 I.–XL., 488, 623–626, 741; *and see* Bowden, Mrs., Nivine, W.

......, ..., ..., hearing of, 672, 730, 874.

......, ..., ..., order concerning, 630, 730.

......, ..., ..., prepared secretly, 116 I., II.

......, ..., ..., replies to, 91, 116, 116 I.–III., 150, 150 II., 182, 183, 183 I.–III., 193, 505, 531, 532, 590, 597, 597 I., 598, 852, 874, 875, 878.

......, ..., ..., ..., by the Council of Antigua, 116, 116 I.–III., 587–589 II.

......, ..., ..., ..., by officers of H.M. Regiment, 487 I.

......, ..., ..., ..., ordered, 630.

......, ..., ..., report upon, 367.

......, ..., Codrington, Col., intrigues of, against. *See* Codrington, Christopher.

......, ..., ..., order to, by, 484 IX.

......, ..., commended by Council of Trade, 209, 367.

......, ..., commission of, 264.

......, ..., Commissions of Peace, changes in, by, 589 I.

......, ..., complaint by, 864.

......, ..., correspondence of, leakage in, 193, 563.

......, ..., Council, acts with, 117.

......, ..., document signed by, 116 IV.

......, ..., exactions by, 443 II.

Parke, Daniel—*cont.*
......, ..., fees of, 443 II., 597 I.
......, ..., hospital in Antigua, established by, 193 I.
......, ..., house rent of, 5, 117, 193, 209, 589 I.
......, ..., ..., Act for, not laid before H.M., 625.
......, ..., ..., refused, 487.
......, ..., instructions of, 5, 25, 192, 193, 878.
......, ..., letters etc., from, 5–7, 25, 109, 116, 117, 148–150, 181, 182, 191–193, 484 XXI., 487, 488, 505, 524, 529–532, 597, 852, 865, 869, 873–875.
......, ..., letters, orders, etc., to, 91, 127, 130, 166, 182, 183, 183 II., 209, 245, 311, 374, 377, 563, 589 VI., 631, 672, 730, 878.
......, ..., Marlborough, duke of, his patron, 150, 488, 597 I., 852.
......, ..., money sent home to procure removal of, 193.
......, ..., negroes purchased by, 25, 589 IX.
......, ..., Nevis visited by, 187, 505.
......, ..., orders, warrants, decrees by, 182, 484 XII.–XVI., XXXI., XXXII., 531, 532, 589 I., XI., XVII., 597 I.
......, ..., patrons of, 150, 488, 597 I., 852.
......, ..., petition against, by Col. Ward, 484 XXXIV.–XXXVII.
......, ..., ..., by London Merchants, 532.
......, ..., ..., ..., to, 186, 187.
......, ..., plantation of, in St. Kitts, 116.
......, ..., powder duty remitted by, 589 I., XVII., 597 I.
......, ..., present offered to, 487, 531, 597 I.
......, ... and the Pretender, 597 I.
......, ..., privateers of, 116, 150, 192, 193, 589 I.
......, ..., ..., "tenths" paid by, 589 XXIII., 597 I.
......, ... and Queen Anne, 532.
......, ..., reprimanded, 209, 878.
......, ..., riot at St. Johns, 150, 150 III.–XIX; *and see* Antigua, St. Johns.
......, ..., salary of, 5, 150, 193, 209, 597, 597 I.
......, ..., ..., overdue, 531.
......, ..., suspends Barry Tankard from Council of Antigua, 5.
......, ..., testimonial in favour of, 193 I.
Parke, Daniel—*cont.*
......, ..., trade, Acts of, alleged breaches of, by, 116, 353, 443 II., 625.
Parker, Henry, 756.
......, Sir Thomas, 508.
Parkhurst, ——, 116.
Parliament, Acts of. *See* Acts of Parliament.
......, report to, by Council of Trade, 294.
Parlican, inhabitants of, conditions of ransom of, 890 III., IV.
Parrott, William, 657 I.
Parry, John, 487 II.
......, Samuel, 487 II.
Parsons, William, 756.
Partridge, Samuel, 391 I., 621 IV. (*c*).
......, William, 118.
Pasqueau, Capt., 870.
Passes, for ships to sail without convoy, 3, 280; *and see* Convoys.
......, for Spanish ships to trade, 134 I., 170, 177, 223 I., 226 I., 372, 372 I., 449 I., 463.
Passmor, Abraham, 158 X.
Patent offices, in the Plantations, 5, 39, 56, 87, 88, 160, 209, 210, 218, 245, 247, 248, 251, 326, 467, 531, 569, 573, 676, 857 I.
......, held by deputies, 5, 153, 296.
......, ..., order concerning, 15.
Patuxent, 131.
Patta, expedition against, proposed, 908 I.
Payne, Stephen, 117 IV., 194 II.
......, ..., affidavits of, 194 III., IV.
......, ..., document signed by, 183 III.
Paynter, John, 443 I., II.
Payton, Charles, 583 XXXII.
Peace negotiations, with France, 632, 806, 860; *and see* France; Canada; Nova Scotia; St. Christophers.
Pearden, Henry, 158 IX.
......, ..., letter to, 890 IX.
Pearl, packet, 679.
Pearne, Mary, 869.
Peartree, William, Councillor of New York, 10 I., 928.
......, ..., charges against, 924 I.
......, ..., prosecution of, ordered, 925.
......, William, 443 I., II.
Peasly, John, 637, 645.
Peck. *See* Peeke, John.
......, Thomas, 756.
Pecks, Israel, 391 IV.
Peeke, John, 87, 102, 122, 142, 573.
Peers, Henry, 274.
Peirce, Josh., 65 V.

Pemaquid, 391.
......, fort of, taken, 554 I.
Pember, Herbert, Attorney General of the Leeward Islands etc., 487 II., 589 I.
......, ..., Judge of the Admiralty, Antigua, 597 I.
......, ..., document signed by, 150 III.
Pembroke, Earl of, Lord High Admiral. *See* Herbert, Thomas.
Pentagoet, 554 I.
Pen, Chevalier, de, 890 II.
Penlyn, manor of, 552 I.
Penn, William, Proprietor and Governor of Pennsylvania, 115, 256, 717 ; *and see* Pennsylvania.
......, ..., Acts, sanction of, 725.
......, ..., boundary dispute with Lord Baltimore, 289 I.–III., 293, 410, 450, 521, 565 ; *and see* Calvert, Charles.
......, ..., declaration of, relating to the Three Lower Counties, 12 I., 32.
......, ... document signed by, 27 II.
......, ..., instructions for, relating to Acts of Trade, 32.
......, ..., ..., concerning submission of Laws, 791.
......, ... letter from, 12, 289 III., 450, 565, 725.
......, ..., letter to, 256, 298, 718, 734, 809.
......, ..., petition of, 334.
......, ..., records, copies of, requested by, 579.
......, ..., surrender of Government by, urged, 888.
Pennant, Ed., 451 I.
PENNSYLVANIA, 789 ; *and see* Penn, William ; Gookin, Charles.
......, Acts of, 481, 686, 703, 718.
......, ..., instruction concerning, 791.
......, ..., repealed, 790, 809.
......, ..., report upon, 717.
......, ..., time limit for Royal Approbation of, 686, 717, 725, 734, 777.
......, Act of, *declaring allegiance*, proposed, 717.
......, ..., *securing the administration of*, 717.
......, ..., ..., instruction concerning, 791.
......, Act *for recording deeds*, 717.
......, ... *limiting presentments*, 717.
......, ... *renouncing the Pretender*, recommended, 741.
......, ..., *directing the qualification of magistrates*, 717.
Pennsylvania, Act—*cont.*
......, ..., *concerning rates of money*, 717.
......, ..., *against riotous sports*, 717.
......, ..., revenue, 580.
......, Assembly of, 604.
......, ..., extravagant pretentions of, 888.
......, ..., refuse quota and measures of defence, 580.
......, boundaries of, dispute with Maryland, 115, 168, 256, 289, 289 I.-III., 293, 298, 450.
......, Canada Expedition, quota for, 196, 387, 475–478.
......, ..., refused, 580, 604, 605.
......, ..., volunteers for, 629.
......, coins, currency in, rates of, 375, 717.
......, Council of, 580, 604, 888.
......, Counties, the Three Lower, declaration concerning, 12 I., 32.
......, defence of, measures for, refused, 580.
......, embargo in, 604.
......, flour, 10.
......, Germans in, 932.
......, ..., Governor of, instructions of, concerning expedition against Canada and Newfoundland, 387, 475–478, 604 ; *and see* Penn, William.
......, Deputy Governor of, H.M. approbation of, 12 I.
......, ..., instructions concerning Canada Expedition, 604 ; *and see* Gookin, Charles.
......, immigration to, 296.
......, Indians, danger from, 609.
......, potash in, 27, 27 I.–VI., 43.
......, proclamation for raising volunteers in, 629.
......, Quakers in, 580, 604, 605.
......, salt, proposal for making, in, 28, 43.
......, Secretary of, 888.
......, shipping of, 216.
......, trade of, with Bermuda, 231 IV.
......, ..., with Carolina, 739.
......, ..., with New Jersey, 11.
......, ..., with Portugal, proposed, 761.
......, ..., with Rhode Island, 230 II.
......, ..., with Virginia, 216 I.
......, vine-growing in, 932.
Penobscot, 554 I.
Pensacola, 632.
Pensance, —— (Newfoundland), 890 II.
Pensions, 351, 361.
Percy, J., 158 X.

Peroneau, Samuel, letter to, 411 i., ii.
Perrie, Edward, Commissioner of Customs, Antigua, 116, 116 i., 117, 193, 245, 443 i., ii., 532, 589 xxiii., 597 i.
......, ..., letter to, 484 xxxi.
......, John, Provost Marshall of the Leeward Islands, 5, 209.
......, ..., leave of absence of, 117, 676.
Perry, Micajah, merchant, agent to Governor Parke, 1, 528, 532, 597, 730, 852, 878.
......, ..., document signed by, 745.
......, ..., letter to, 261, 789, 863.
......, ..., petition of, 850.
Perth Amboy, 11, 604.
Peru, 632.
Pery, John, Secretary to the African Company, document signed by, 327, 347.
......, ..., letter to, 330, 786.
Peterborough, Earl of. *See* Mordaunt, Charles.
Peters, John, 9, 319.
Petit Guavas, 573.
Petty Harbour (Newfoundland), 554 i., 859 i.
......, inhabitants of, conditions of ransom of, 890 iii., iv.
Peuch. *See* Pouch, Francis.
Philadelphia, 10, 11.
......, inhabitants of Nevis at, 10.
......, Minister of, 57 ii.
Philips, C. (N.Y.), 10, 849.
......, Samuel, 443 i., ii.
......, ..., deposition of, 484 xviii.
Philipps, Lt. (Newfoundland), 890 ii.
Philiptes, Adrian, document signed by, 157 i.
Phillips, John (Mass.), 391 i.
Philotas, document signed by, 180 viii (*a*).
Phips, Thomas (N.H.), 65 v., 260 i.
Phipps, Constantine, memorial from, 547.
......, Francis, Councillor of St. Kitts, 6, 200, 206, 209, 236.
......, Sir William, expedition of, 554 i.
Pickerin, John, 17 ii., 65 ii., 260, 260 i.
Pickering, Capt., 604.
Piffton, John, 158 ix.
Pike, John, 65 vi.
Pilgrim (Barbados), Governor's residence, 502, 583, 583 xi., xxviii.
......, John, Councillor of Barbados, 126 i., 299, 380, 513, 857 iii.
......, ..., complaints of, against Governor Crowe, 179, 694.
Pilgrim, John—*cont.*
......, ..., letter from, 317, 503.
......, Thomas, petition and case of, 272 i., ii.
......, ..., ..., report upon, 308.
......, ..., letter to, 286.
Pinckerman, Capt. (Jamaica), 649.
Pindar, Thomas, 187, 321.
......, ..., petition of, 134 i., 210.
......, ..., ..., report upon, 170, 226 i.
Pinhorn, William, 819 i., 876, 921.
Pirates, 66, 540, 831 ii., 872, 900; *and see* Breholt, John; Ham, John.
......, increase of, 785.
......, pardons for, 785, 912.
......, ..., petition for, 620 ii.
......, the outcome of privateers, 301, 445, 445 i.
......, at Madagascar, proposal for reduction of etc., 557 i., 575, 620 i., 622, 908, 908 i.–vi,
Piscataqua, 391, 797.
......, rendezvous for English fleet, 196.
......, river, 19, 185.
Pitch, *v.* Naval Stores.
Pittman, John, deposition of, 180 iv. (*c*).
Pitts, ——, 268.
Placentia, 833, 859 i., 890 ii.
......, attack upon, instructions for, 497.
......, ..., proposed, 196, 922 i.
......, ..., rejected, 922 ii.
......, description of, 195, 195 ii., 628, 859 iv., 890 ii., v., vi.
......, English prisoners detained at, 890 ii., 922.
......, fortifications of, account of, 890 ii., v., vi.
......, French at, number of, 223 i. 314.
......, garrison of, 60.
......, Governor of, 890 ii.; *and see* Costebelle, M. de; Subercasse.
......, ships of, 890 ii.
......, trade of, 859 iv.
......, Little, 859 iv.
Plaisted, Ichabod, 65 iv., 391 i.
......, ..., contract of, 24.
......, ..., letter from, 458.
......, ..., trial of, 428; *and see* Bridger, J.
......, John, complaint against, 17.
......, ..., letter from, 17 ii.
PLANTATIONS, The, 411, 440; *and see* Acts of Parliament; Coinage; Naval stores; Negroes; Trade etc.
......, Acts repealed in, instruction concerning, 791.
......, ..., appeals from, 413.
......, Auditor General of. *See* Blathwayt, William.

Plantations, The—*cont.*

......, corn, export of, 779; *and see* the several Colonies.

......, Councillors recommended for, list of, 937.

......, common defence of, 632.

......, French and English claims and captures in, 512, 516, 517, 519, 520, 522, 523, 534, 535, 535 I., 539, 540, 544, 546–548, 554 I., 632.

......, Governors of, Circular letters to, 41, 59, 77.

......, losses caused by the French to, 221 I.

......, manufactures, woollen etc., in, 651, 705, 739, 745, 883; *and see* the several Colonies.

......, Naval Officers in, 39.

......, packet boats needed for, 10; *and see* Dummer, E.

......, Seals, warrants etc., for use of new, 16, 40, 50, 805, 815; *and see* Roos, John.

......, stores of war for, 746, 757.

......, ..., accounts of, 59; *and see* the several Colonies.

......, Surveyor of H.M. Woods in, *See* Bridger, J.

......, trade with Madeira, 779.

......, trade with Portugal, 761, 779; *and see* Trade.

......, waste of H.M. Woods in, 19, 24; *and see* Bridger, J.; Massachusetts Bay; New Hampshire.

Plattell, San Jacob, 42.

Plymouth, Council of, 554 I.

Poach, John, 487 II.

Podivinie, Samuel, 487 II.

Pog(g)son, John, murder of Col. Johnson, by, 531.

......, ..., case of, 597 I.

Point Morant, 699, 704, 776, 799, 808, 835 I.; *and see* Port Morant.

Poland, 249.

Pontchartrain, Fort, 60.

Pool Plantation, Newfoundland, 158 IX.

Pool, Sir William, 554 I.

Popple, William, junr., Secretary of the Board of Trade and Plantations, 10, 433; *and see* German Protestant Refugees.

......, ..., house for, 433.

......, ..., receipts by, 42, 120.

......, ..., salary of, 304, 350, 433, 433 I.

......, ...,letters etc.,from,1708:—1, 43, 47–49, 51–53, 66, 84, 86, 92, 113, 115, 144, 162, 169, 170, 173, 177 I., 184, 190, 213, 220, 253, 256, 257, 261.

Popple, William, letters from—*cont.*

......, ..., ..., 1709:—282, 286, 298, 310, 325, 330, 353, 355, 357, 383, 407, 414, 418, 427, 438, 461, 489, 499, 516, 517, 519, 520, 536, 567, 607, 622, 635, 654, 667, 685, 686, 688, 692 I., 701, 702, 706, 718, 727–731, 734, 740, 754, 758, 760, 762, 776, 781, 783, 784, 786, 787, 788, 793, 796, 800, 803, 808, 809, 810, 818, 824–826, 838, 840, 843, 844, 851 I., 854, 856, 863, 864, 866, 886, 894, 896, 917, 933.

......, ..., letters etc., to, 1708:—8, 10, 13, 27, 61, 69, 74, 75, 79, 99, 106, 118, 119, 132, 135, 154, 171, 201, 214, 223, 254, 255, 268.

......, ..., ..., 1709:—283, 301, 312, 322, 347, 348, 358, 376, 404, 411, 413, 416, 417, 431, 432, 445, 460, 490, 527, 534, 535, 538–540, 549, 562, 564, 565, 570, 577, 608, 617, 660, 679, 683, 691, 722, 725, 737, 747, 755, 759, 766, 789, 801, 807, 812, 823, 827, 831, 832, 841, 842, 874, 877, 889, 890, 898, 899.

Porcio, Don Francisco, Factor for the Assiento, 525 I., 525 II.

Porter, Robert, 487 II.

Portland, H.M.S., prize of, 483, 542, 679, 872.

......, engagement of, 451, 542.

Port Louis, 890 II.

Port Morant, 657 I., 699, 704; *and see* Point Morant.

Port Nelson, 60.

Porto Bello, 56, 68, 525 I.

......, engagement off, 451.

Porto Prince, 483.

Porto Rico, 68, 174.

......, Spanish ships at, 56.

Port Royal, Jamaica, 279.

......, ..., magazine at, 56; *and see under* Jamaica.

......, Nova Scotia, French at, 60, 65 II., 185, 195, 260, 458; *and see* Nova Scotia.

......, ..., attack upon, 60.

......, ..., capture of, 554 I.

......, ..., expedition against, 230, *p.* 49.

......, ..., Governor of, 60; *and see* Brouillan; Subercasse; Bonaventure.

......, ..., importance of, 533 I., 666, 691.

......, ..., privateers of, 533 I., 666, 691.

......, ..., reduction of, urged, 19, 58, 260, 391, 533, 533 I.

Port St. Antonio, 657 I., 667 I., 699, 846.
Portsmouth, H.M.S., 649, 720.
Portsmouth, N.H., 19.
......, defence of, 260 I.
Portugal, convoys to, request for, 80.
......, Queen of, 80.
......, trade with, 118, 761, 779.
......, trade of, with Carolina, 257, 268, 284.
......, trade with Rhode Island, 268.
...... Cove, inhabitants of, conditions of ransom of, 890 III., IV.
Portuguese (Cacho Company), 331.
......, document in, 204.
Post, in American Colonies, 10.
Postmaster General, 679.
Potash, imports and exports of, 27 VI.
......, in America, 43.
......, ..., good quality of, 27 III.
......, ..., proposals for making, 27, 27 I.-VI.
Potomac, R., proposed settlement on, 652, 724.
Pouch, Francis, 116, 487 II.
......, ..., petition of, 909 I.
Povey, John, clerk of the Privy Council, documents signed by, 136, 138, 273, 356, 434, 435, 439, 442, 482, 557, 558, 569, 576, 596, 634, 644-648, 650, 651, 653, 681, 696, 697, 714, 715, 790, 791, 792, 795.
Prerogative, the, of the Crown, in the Plantations, 5, 33, 167, 209, 391, 410, 440, 549, 550, 573, 597 I., 649, 747 V., 837, 856.
Pressing, of seamen, Act concerning, 376; *and see under* New York.
Pretender, the, 116 IV., 131, 131 I., 597 I., 662.
......, Act renouncing, recommended, 791.
Preu, Marquis de, 449 I.
Prideaux, Thomas, 583 VII.
Pringle, Robert, Secretary to the Earl of Sunderland, letter from, 562, 570, 841.
Prior, Matthew, Commissioner of Trade and Plantations, salary of, 884.
Prius, Richard, 158 X.
Privateers, 10, 19, 26, 60, 69, 87, 100, 111, 137, 142, 150, 174, 192, 193, 202, 216 I., 227, 230, 339, 382, 395, 408, 443 II., 451, 473, 484 XX., XXI., 533 I., 573, 589 XXIII., 597 I., 666, 667 I., 679, 683, 765, 785, 794 II., III., 803, 831 II., 870-873, 890 II., 912.
Privateers—*cont.*
......, Act *for encouraging, in the West Indies*, 589 I., 597 I.
......, ..., complaints against, 301.
......, Act concerning proposed, 100, 111.
......, Commissions for, 100, 649.
......, Dutch, 223 I., 339.
......, English, complaints against, 195 I.
......, ..., in the South Seas, 720, 720 I.
......, French, 26, 56, 56 II., 116, 123, 174, 227, 255, 421, 472, 534, 535, 540, 609, 691.
......, ..., cruelties of, at the Bahamas, 176, 176 I., II.
......, ..., at Jamaica, 339.
......, without commission, case of (Jamaica), 174, 174 II., 227.
......, regulations of, 100, 473.
......, turn pirates, 301, 445 I.
......, ruin trade with Spanish West Indies, 301.
......, "tenths," 589 I.
Privy Council, the, Clerk of, letter to, 228 I., 407; *and see* Blathwayt, William; Musgrave, Christopher; Povey, John; Southwell, Edward; Anne, Queen.
......, Committee of, for hearing appeals, 58, 413.
......, Lord President of, letter to, 777.
Prizes, 88, 111, 142, 142 II., 208, 339, 339 I., 451, 473, 484 XX., XXI., 499, 649, 709 XI., 720, 720 I., 748, 872; *and see under* several Colonies.
......, accounts of, 649.
......, Act concerning, 87.
Proctor, Samuel, 487 II., 597 I.
Proprietary Governments, 915.
......, protection of foreign debtors by, 216 I.
Prosser, James, 756.
Protestant Refugees. *See* German *and* Swiss Protestant Refugees.
Providence, Isle of, deserted state of, 340.
......, raid on, 448; *and see* Bahama Islands.
Province, galley, 794 IX.
Puckle, William, 142.
......, ..., letter from, 142 I.
Pulteney, John, Commissioner of Trade and Plantations, 350, 826.
......, ..., letter to, 887.
Puttman, Capt., 260 I.
Pynn, Robert, 756.
......, William, 756.
......, ..., junr., 756.

Q

Quakers, the, in the Plantations, 11, 391, 440, 578, 597 I., 604, 605, 819 III., VI.
......, exclusion of, from Governments proposed, 604, 605, 617, 621 ; *and see under* the several Colonies.
Quary, Robert, 10, 10 I., II., 921.
......, ..., document signed by, 819 I.
......, ..., letter from, 888.
......, ..., letter to, 771.
Quebec, 33, 60, 217, 554 I. ; *and see* Canada Expedition.
......, attack upon, proposed, 196, 391.
......, description of, 60.
......, expedition against, 387, 475–478.
......, fortifications of, 60, 107, 621 IV. (*a*), (*b*).
......, Governor of, 60, 621 IV. (*a*) ; *and see* Vaudreuil.
......, Lt.-Governor of, 60.
......, privateers, 60.
Queen's Remembrancer. *See* Stevens, H.
Queensberry, Duke of. *See* Douglas, James.
Queriso, 632.
Quidi Vidi, 859 I.
......, inhabitants of, conditions of ransom of, 890 III., IV.

R

Race, Cape, 554 I.
Ramsay, M. de, Lt.-Governor of Montreal, 60, 107.
......, Gilbert, Rev., deposition of, 513 IX.
......, Willaim, 857 III.
Ramsey, Barbara, deposition of, 908 IV.
Randolph, William, 216 III.
Ranes, Daniel, 756.
Ravell, Anthony, 524 I.
Rawleigh, Caleb, 116, 117 IV.
Rawleigh, James, 117 IV.
Rayner, John, Attorney General of New York, 35, 36, 61 I.
......, ..., leave for England, 629.
......, ..., letter to, 767.
......, ..., memorandum by, 768, 804.
......, ..., opinion of, 621, 621 II., 747 II., IV.
......, Eleanor, case of, 583 XIX.
......, William, case of, 583 XIX.
Read, Lawrence, document signed by, 157 I.
Read, Mary, petition of, 420 II.
Reade, James, 443 I., II., 597 I.
Redknap, J., Col., engineer, 19, 123, 391, 604.
Redwood, Abraham, 487 II.
Reeves, William, 756.
Refugees. *See* German Protestant ; Swiss Protestant.
Rehoboth, Congress of Governors at, 794 II., 922 I., II.
Renselaer, K.v., Commissioner for Indian Affairs, 604, 621 IV.,
Resolution, packet, 174, 679.
Revell, —— (N.J.), 578.
Rex, Henry, 756.
......, John, 890 III.
Reyly, Lt., 597 I.
Reynardson, J., letter from, 619, 619 I.
Reynolds, John, 487 II.
Reze, P. Vanderheyden, letter from, 281, 403, 600.
Rhett, William, 448.
......, ..., case of, 662.
......, Col., letters to, 870.
......, ..., wife of preceding, letters from, 870.
RHODE ISLAND, 58, 597 I.
......, Acts of, printing of, 230.
......, Act *for registering ships*, 230.
......, Assembly of, 230, 604.
......, ..., address of, 604.
......, Canada Expedition, address concerning, 794 II.
......, ..., cost of, 794 IV.
......, ..., preparations for, 617, *p.* 401.
......, ..., quota for, 196, 387, 475–478, 604, 666, 691, 794, 794 I., II.
......, coinage, currency of, 157 I., 229.
......, Council of, 229, 230, 604.
......, Courts of, 230.
......, Customs, Collector of, in, 230.
......, defence of, 230.
......, exports and imports of, 230, 230 I.
......, fort of, 230.
......, Governor of. at Boston, 794 ; *and see* Cranston, Samuel.

Rhode Island, Governor of—*cont.*
......, ..., instructions for, concerning Canada and Newfoundland Expeditions, 387, 475–478, 604.
......, inhabitants, numbers of, 230, 230 i.
......, Militia, 230, 230 i.
......, Naval Officer in, 230.
......, negroes, imports and prices of, 228.
......, ..., servants preferred to, 228.
......, Newport, Congress of Governors at, 794 v.
......, Port Royal, attack upon, proposed, 794 i.
......, ..., expedition against, 230.
......, privateers, expedition against, 230.
......, shipping of, 230, 230 ii.
......, trade of, 230, 230 ii.
......, trade with Boston, 229.
......, trade with Carolina, 739.
......, trade with Portugal, 268.
......, trade, illegal, of, 230, 268.
......, Union, Act of, published in, 230.
Rhodes, Christopher, Secretary of Commission for losses at Nevis, 5, 531.
......, ..., recommendation of, 251.
Rice, an enumerated commodity, 284.
Richardson, John, 9, 198, 756.
......, Roger, affidavit of, 210.
Riddell, Capt. R.N., 391, 392, 417.
Ridot, M., Intendant of Canada, *p.* 50.
Rigby, Richard, Provost Marshall, Jamaica, 56 i., 142.
......, ..., leave of absence for, 133.
Riggs, John, recommendation of, 128.
Rio Grande, 699, 704, 776, 799, 808, 835 i.
Ritter, George, petition of, 601 i.
Rivers, Earl. *See* Savage, Richard.
Roach, John, Capt., 116, 532.
......, ..., deposition of, 589 i., xix., xxiii., 597 i.
Roanoke, 231 iv.
Robinson, James, 487 ii.
......, ..., deposition of, 150 x.
......, John, 583 xlvi.
Rock, John, 443 ii.
Rodeney, Cæsar, 487 ii.
Rodot, M., Intendant of Canada, 217.
Roebuck, H.M.S., 445 i., 785.
......, ..., prize of, 279, 542.
Roberts, Nicholas, 761.
......, Richard, 756.
......, Thomas, 756. 890 iii.
......, Timothy, 583 lvi.
Roberts—*cont.*
......, William, 96, 274, 396, 577, 583 lviii., 756, 890 iii.
Rogers, Francis, 443 ii., 487 ii.
......, ..., deposition of, 589 xx., 597 i.
......, Nathaniel, 65 vi.
Roman Catholics, in Maryland, 131, 131 iii., 410, 671; *and see* Papists.
Rome, Thomas, 487 ii.
Romer, W., Col., engineer, 19, 391.
......, ..., letter from, 123.
......, ..., letter to, 92.
......, ..., report by, 185, 306, 307.
Romvich, ——, 621 iv. (*a*).
Roope, Nicholas, document signed by, 801.
Roos, John, H.M. Seal-cutter, 805.
......, ..., warrant for, 50.
Rose, John, 443 i., ii., 597 i.
Roulston, Thomas, 583 vii.
Rowstiffe, Phillip, 158 ix.
Royall, Isaac, 487 ii.
Royle, Agent of Barbados, 219, 502.
Rupert, Ann, deposition of, 908 iv.
Ruperti, George Andrew, 551.
......, ..., document signed by, 581.
......, ..., letter from, 495, 501, 593.
Rusenell, John, 911 ix.
Rushworth, John, 583 vi., xvii.
Russell, James, 391 i.
......, Griffith, deposition of, 158 viii.
......, Thomas, 890 ii., iv.
Russia, 43, 249.
......, potash export, 27 vi., 43.
Rye, H.M.S., 859 i., 890 vii.
Rynders, Barent, 10 i.
Ryswick, Treaty of, 554 i.
......, ..., infractions of, 522, 523.

S

Saco, Fort, 391.
Sadler, Charles, 87.
Sailors, wages of, *p.* 48.
St. Antonio, Port (Jam.), 704, 762, 835 i.
St. Augustine, 411 i.
......, expedition against, 739.
......, ..., state of, 682.
St. Christopher's. *See* St. Kitts.
St. Costine, Mons., 554 i.

St. Croix, River, 60.
......, boundary of Nova Scotia, 554 I.
St. Croy, Marquis de, French General, 60.
Sta. Cruz, Spanish ship, 56 II.
St. Estienne, Sir Charles de, 554 I.
St. Eustatius, taken by the French, 865, 873.
St. Francis, fort, 217.
St. George, river, 554 I.
St. Joachim, Spanish ship, 56 II.
St. John Baptist, flag of truce, case of, 909 I.
St. Johns, Antigua. *See* Antigua.
......, Newfoundland. *See* Newfoundland.
St. Joseph, Spanish ship, 56 II.
St. Kitts (St. Christophers), 5, 116, 367 III., 484 XXXIV., 589 I., 597; *and see* Parke, Daniel; Bowden, Mary.
......, Act *for establishing Courts*, 209, 381.
......, address from, 175, 182, 183, 183 III., 209, 313, 381, 641.
......, Admiralty. *See* Courts.
......, Assembly of, 182, 381, 597 I.
......, ..., charges against Governor Parke, 625 (*b*); *and see* Parke, Daniel.
......, ..., Journal of, 5.
......, ..., speaker of, 625.
......, Colony from, 554 I.
......, Council of, 6, 9, 193, 488, 597 I.
......, ..., message in favour of Governor Parke, 625 (*a*).
......, ..., minutes of, 5, 193 II., 367 I.
......, ..., and Assembly of, 127, 589 I.
......, ..., minutes of, 6.
......, Councillors of, 34, 199, 200, 206, 209, 236, 319, 531.
......, Court of Admiralty, 484 XV.
......, ..., proceedings in, 484 XXXVIII.
......, Court of Chancery, 484 XIV.
......, debts in, payment of, 381.
......, defence of, 597 I.
......, emigration from, 554 I., 573.
......, English claim to, 534, 546, 547, 554 I.
......, fees, regulation of, 597 I.
......, flag of truce, 625.
......, French in, 540.
......, ..., history of, 554 I.
......, French part of, grievances concerning, 625, 626.
......, ..., desirability of retaining, 554 I.
......, Governor of. *See* Parke, Daniel; Warner, Sir Thomas.
St. Kitts—*cont.*
......, Governor, Council and Assembly of, 209.
......, grant in aid of, 487, 878.
......, ..., distribution of, 127, 130.
......, history of, 554 I.
......, Lt.-Governor of. *See* Lambert, Michael.
......, Lt.-Governor and Council of, 183; *and see* Bowden, Mrs.
......, ..., address from, 182, 183, 183 III.
......, negroes, 25, 109, 117 IV., 331; *and see* African Company.
......, Parke visits, 597 I.
......, poverty of, 5.
......, privateers, 484 XX., XXI.
......, prize condemned in, 150.
......, proceedings relating to, 554 XII.
......, provisions for, 878.
......, raid on, 331, 597 I.
......, Salt Ponds at, 554 I.
......, stores of war, account of, 529 II.
......, trade, illegal at, 484 XXII.
......, trade, with Carolina, 739.
......, trade, illegal, with Curaçao, 589 I., 625.
......, trade with New York, 10.
......, trade with Rhode Island, 230 II.
St. Lawrence, River, 60.
......, ..., French on, 554 I.
St. Loe, Capt. R.N., 29.
St. Lucia, 709.
......, conveyance of, 554 I.
......, English title to, 539.
......, report upon, 554 I., 556.
......, French and English in, *pp.* 357–359.
St. Mary's Harbour, Newfoundland, 859 IV.
St. Nicholas, brigantine, case of, 279.
St. Peters Island, plundered, 859 IV.
St. Thomas, 421, 597 I., 831 II.
......, trade with Carolina, 216 II., 739.
......, ..., New York, 10.
......, ..., Spain, 872.
St. Vincent, 396, 709.
......, English title to, 554 I.
......, runaway negroes at, 539.
Sale, Nathaniel, Receiver General of S. Carolina, 424.
......, ..., commission and instructions of, 239.
......, ..., accounts of, 752.
......, ..., letter from, 752.
Salem, 11, 33 III., 663.
......, Fort Anne, 391.
......, ..., accounts of, 394 III.

Salmon, Joseph, 583 vii.
Salt Tertudas, 411.
......, trade with Rhode Island, 230 ii.
Salt Ponds, 231 iv.
Salt, 448 ; *and see* Keble, John.
Salt Savanna, 573 ii.
Salter, George, 487 ii.
......, Timothy, 180, 225 i., 380, 442, 457.
......, ..., deposition of, 180 ii.
Saltonstall, Gurdon, Governor of Connecticut, 691 ; *and see* Connecticut.
......, ..., document signed by, 794 i., ii., 922 ii.
......, ..., letter from, 371.
...., letter to, 922 i.
......, ..., re-elected Governor, 604.
......, ..., visits New York, 604.
Sandford, John, 126 i., 583 vii.
......, William, 819 i., 876, 921.
Sandiford, Thomas, 583 vi.
......, Richard, 274, 583 vi.
Salvage, Harbour of (Newfoundland), 554 i.
Sandwich, Custom House Officers, return by, 283, 283 i.
......, sailings for Newfoundland, 283 i.
Sandy Hook, 10, 11, 252.
Santee, 739.
Santiago, 382.
Saratoga, 196.
Saunders, William, Attorney General of S. Carolina, 752.
......, commission and instructions of, 238.
Savage, Richard, Earl Rivers, 908 ii.
......, ..., Secretary to Commissioners of H.M. Customs, 190, 325, 438.
......, ..., letter from, 118, 119, 898, 899.
......, ..., letter to, 162, 190, 325, 438, 886, 896.
Savanna, River, 739.
Savoy, the, German Lutheran Church in, 495.
Sawcolt, John, 487 ii.
......, Thomas, 487 ii.
Sawyer —— (Va.), murder of, 531, 589 iv., v.
Scalps, rewards for, 19 ; *and see* Indians.
Scarborough, H.M.S., 542.
Scheurman, Peter, arrest of, 459 i.
Schennectade, 621 iv. (*a*), (*b*).
Schuneman. Herman, document signed by, 120, 710.
Schuyler, Peter, Commissioner for Indian Affairs, 196.
......, ..., and the Canada Expedition, 475, 477, 604.
Schuyler, Peter—*cont.*
......, ..., document signed by, 157 i.
Scot, Capt., 587.
......, Richard, Col., 242, 244, 273.
......, ..., letter to, 892 iii.
Scotland, and Scottish, the, proposed Colony by, 391, 392 ; *and see* Negroes, the ; Union, the.
Scott, Susanna, 583 xli.
......, ..., deposition of, 180 iv. (*c*).
Scrivener, Benjamin, case of, 174, 174 ii., 451, 451 ii. ; *and see* Jamaica, privateer without commission ; *Kingston* galley.
Seaflower, brigantine, 228, 765 ii.
Sealey, William, 583 lvi.
Seals, new, for the Plantations, 16, 40 ; *and see* Roos, John.
......, warrant for, 50, 815.
Seawee Bay, 870.
Seberingh, Cornelius, document signed by, 157 i.
Sellman, Robert, 890 iii.
Semblers, the, 912.
Semple, William, document signed by, 187.
Separate traders, the, 655, 786, 787, 892 iii ; *and see* African Company ; Negroes.
......, ..., report upon, 913.
......, imports of negroes by, 142, 142 iii., 150, 151, 192, 192 i., 197 i., ii., 215 i., ii., 228, 243.
Sergeant, Peter, 391 i.
Sermain, Don Pietro Marino, 53.
Severn, H.M.S., 542.
......, prize of, 174.
Severn, River (Ma.), 131.
Sewall, Samuel, 391 i.
......, Stephen, Capt., document signed by, 394 iii.
Seymour, John, Governor of Maryland, 410 ii.
......, ..., charges against, 888.
......, ..., complaint of, against Capt. Huntinton, 253, 254, 296, 322 i.
......, ..., death of, 707.
......, ..., instruction to, 919.
......, ..., letters of, detained, 168.
......, ..., ..., lost, 290, 296.
......, ..., letter from, 131, 190, 197, 253, 265, 290, 410.
......, ..., letter to, 168, 296, 322 ii., iii., 431, 671, 820.
Shales, John, Capt. R.N., Commodore of Newfoundland Convoy, letter to, 890 vii.
......, ..., documents signed by, 911 xiii., xiv.
Shambly (Chambly), 60, 604, 621 iv.

Sharpe, John, 180 VIII (*a*).
......, Richard, 487 II.
......, ..., deposition of, 484 XV.
......, ..., appeal of, 484 XV. (*a*).
......, William, Councillor of Barbados, 180 VIII. (*a*), 352 I., 396, 583 VIII., IX.; *and see* Barbados, Councillors, The Three.
......, ..., charges against, reply to, 248, 583 LIX.
......, ..., charges against Governor Crowe, 126 I., 129, 178, 179, 180 I., 224 I., 320, 857 V., VII.
......, ..., ..., reply to, 180 II., 180 IV. (*b*).
......, ..., debts of, 180 II., 180 IV. (*k*).
......, ..., depositions concerning, 857, 857 IV.–VII.
......, ..., letter from, 126, 156, 156 IV., 178, 583.
......, ..., letter to, intercepted, 583 II.
......, ..., petition of, 222 III.
......, ..., removed from Commission of Peace, 583 VI.
......, ..., restored to Council, 356, 370, 379, 380.
......, ..., suspended from Council, 156, 178, 179, 317, 324.
Shatterdon, Constance, Barbados, case of, 126 I., 583 XXII.
Sheafe, Sampson, 65 V.
Shelley, Walter, 487 II.
Sheppard, Edward, Lt.-Governor of Newfoundland, 756 (*b*), 890 III.
Sherborough, frigate, case of, 126 I., 180 II.
Sherlock, Samuel, 637, 648.
......, ..., deposition of, 231 I.
Sherburn, John, 65 V.
Sherrard, George, Lieut., 150, 193, 597 I.
Sherry, negro murderer, appeal for pardon of, 474 I.
Shetterden. *See* Shatterdon.
Shiliver, Adam, 890 III.
Short, ——, letter to, 890 IX.
......, Sarah, 890 III.
Shrewbury (N.J.), 10.
Shuller, William, deposition of, 180 IV. (*c*).
Shute, J., 661.
......, Zachary, 583 VII.
Singin, Timothy, 487 II.
Skene, Alexander, Secretary of Barbados, 695.
......, ..., acquittal of, 318.
......, ..., bribery and exactions by, 29.
Skene, Alexander—*cont.*
......, ..., charges against, 29, 180 II., 262.
......, ..., ..., reconsidered, 140.
......, ..., ..., report upon, 29, 467.
......, ..., deposition in favour of, 321.
......, ..., dismissal of, 97.
......, ..., document signed by, 386 I., 502 VI., 583 VIII., IX., XLVIII., 892 II., 893.
......, ..., petition of, 140 I., 441 I.
......, ..., restored to office, 482, 494.
......, ..., testimonial to, 263, 263 I.
......, ..., warrant appointing, 397, 441 II.
Slave trade, the. *See* African Company; Indians; Negroes.
Slingesby, Arthur, case of, 126 I., 180 II., 694.
......, ..., deposition of, 180 IV. (*c*).
......, ..., petition of, 583 XXXIV., XXXV.
......, Susannah, petition of, 583 XXXIV., XXXV.
Small, William, 126 I.
......, ..., committal of, 583 XLII., XLIII.
......, ..., deposition of, 583 XLII.
Smith, Daniel, St. Kitts, 625.
......, George (Carolina), 739.
......, John (Antigua), 487 II.
......, John (Barbados), 583 XXXI.
......, Joseph (N.H.), 30, 65 V., 260 I., 266, 292.
......, Michael, Councillor of Nevis, 9, 198, 531.
......, Nicholas, Capt. R.N., 660, 826.
......, ..., letter from, 794 XI.
......, ..., letter to, 794 IX.
......, Richard (Antigua), arrest of, 459 I.
......, Samuel, Bermuda, 637, 646.
Snagg, Daniel, 152.
Snow, John, 756.
Sober, John, deposition of, 653 II.
......, ..., petition of, 653 I.
......, ..., order concerning, 715, 723.
......, ..., report upon, 700.
Society, French flag of truce, seized, 909 I.
Solicitor General, the. *See* Mountague, Sir James; *and* Eyre, R.
Somers, ——, *See* Summers, John.
Sommers, John, Baron Sommers of Evesham, 602.

Somerset, Henry, Duke of Beaufort, a Lord Proprietor of Carolina, 597 I.
......, ..., deputation by, 419.
......, ..., document signed by, 233, 237–241, 342, 398, 402, 424–426, 454–456, 462, 464, 468, 469, 479, 480, 509, 514, 515, 544, 554 VIII., 569, 659, 675, 682, 687, 713, 719, 735, 743, 744, 813, 828, 829.
Sonmans, Peter, Councillor of New Jersey, 4, 11, 819 VIII., 876, 921.
......, ..., charges against, 876, 876 I.
......, ..., ..., reply to, 819 II.
......, ..., complaint by, 819 X.
......, ..., petition of, 819 VII.
......, ..., testimonial to, 819 IX.
Sophia, packet boat, 683, 912.
Sorrel, 60, 621 IV. (*b*).
Southack, Cyprian, Capt., 387, 417, 476.
......, ..., pay of, 33 III.
Southard, Nicholas, 911 IX.
Southmayd, Allen, 890 II., IV.
......, ..., deposition of, 911 XI.
......, ..., report by, upon Placentia, 628, 890 V.
South Seas, the, trade to, 56.
Southwark, Capt. *See* Southack.
Southwell, Edward, Clerk of the Privy Council, document signed by, 289, 297, 329, 332, 334, 481, 518.
SPAIN, and the Spaniards, in the West Indies, 53, 69, 331, 340, 424; *and see* Hispaniola.
......, Assiento trade, 226 I.; *and see* Assiento; Negroes.
......, Bahama Islands, in the, 615, 870.
......, ..., cruelty of, in the, 448.
......, ..., raided by, 448, 606.
......, ..., settlement by, feared, 270 I.
......, Carolina, defeat by, 739.
......, ..., design against, 411, 411 I., II., 615, 632, 870.
......, coin, in the Plantations, 157.
......, convoys, 339.
......, Fleet, Almirante, the, 451.
......, ..., engagement with Commodore Wager, 68, 69, 135, 785.
......, ..., movements of, 649, 912.
......, ..., at Vera Cruz, 542, 872.
......, Indians, war with, 632.
......, losses inflicted on, 451, 720, 720 I.
......, Marlborough's victories announced to, 142.
......, mines, 632.
......, murder of, alleged, 443 II., 597 I.
Spain—*cont.*
......, negroes trade in, 542.
......, ..., with Barbados, 210; *and see* Assiento, The.
...... pirates, offer of pardon to, 785.
......, prisoners, exchange of, 227, 382, 483, 573.
......, privateers, 87, 111, 667 I., 912.
......, ..., ships and galleons of, at Carthagena, 56, 68, 483, 649, 785, 912.
......, ..., ships and galleons of, capture of, 56, 56 II., 174, 174 II., 339, 339 I., 382, 383, 395, 408, 445 I., 451, 451 II., 473, 483, 490, 499, 542, 573, 785.
......, ..., French convoys, 451.
......, ..., engagement with, 68; *and see* Wager.
......, ..., sail from Havana, 68.
......, ..., passes for, 210, 223 I., 226 I., 372 I., 449 I., 463.
......, ..., ..., petition for, 305.
......, ..., ..., refused, 210.
......, ..., at Porto Rico, 56.
......, trade with, 87, 118, 134 I., 301, 339, 391, 449 I.
......, trade with Curaçao, 872.
......, trade with French, 573, 632, 872.
......, ..., contract for, 174.
......, trade with Ireland, 305.
......, trade with Jamaica, 56, 68, 100, 142, 174, 227, 382, 445, 445 I., 451, 540, 542, 649, 679, 683, 720, 872.
......, trade with Newfoundland, 223 I.
......, trade with St. Thomas, 872.
Spanish Admiral, blown up, 56, 56 II., 69.
...... Town, 597 I.
Spencer, Charles, Earl of Sunderland, Secretary of State, 71, 382, 473, 545, 602.
......, ..., documents signed by, 36, 50, 121, 122, 127, 145–147, 198, 199, 280, 305 I., 315, 320, 326 I., 370, 446, 457, 471, 493, 494, 618, 723, 738, 751, 764, 814–816.
......, ..., letters, instructions, references, etc., from, 1708:—16, 53, 63, 64, 65, 128, 130, 134, 139, 163–168, 181, 231, 305 I.
......, ..., ..., 1709:—326 I., 372, 377–379, 409, 449, 452, 465, 475, 476, 478, 485, 487, 491, 504, 525, 533, 570 I., 601, 656, 658, 668–674, 691, 721, 759, 761, 782, 794 I., 841–843, 881, 897, 911, 915, 934.

Spencer, Charles—*cont.*
......, ..., letters, petitions, representations, etc., to., 1708 :—4, 15, 20, 37, 40, 46, 54, 57, 67, 95, 124, 125, 142, 143, 172, 175, 186, 191, 221, 224–226, 232, 235, 251.
......, ..., ..., 1709 :—284, 294, 313, 314, 317, 324, 346, 352, 359, 368, 406, 433, 452 I., 463, 500, 507 I., 508, 511, 553, 562, 562 I., 566, 574, 584, 602, 603, 606, 615, 629, 632, 636, 641, 652, 656 I., 662, 666, 689, 708, 720, 732, 733, 753, 794, 799, 805, 835, 859 I., 871, 875, 891, 900, 914, 919, 920, 923, 924.
......, ..., memoranda of, 612.
......, ..., lands of, 848.
Spencer, Humphry, 17 II.
Squarry, Thomas, 756, 911 IX.
Squarry, William, hostage at Placentia, 756, 890 II., IV.
Staats, Samuel, Councillor of New York, 617, 802, 924 I., 928.
......, ..., lands of, 848.
Stamford, Thomas, Earl of. *See* Grey, Thomas, Earl of Stamford.
Stanley, Sir J., Commissioner of Customs, 27 V., 661.
......, Sir John, house of, 433.
Starr, Josias, Dr., 72.
Staten Island, 848.
Stede, Col., Lt.-Governor of Barbados, instructions etc. to., 554 I.
Steel, Serjeant (Newfoundland), 911 IX.
Steele, Richard, 321.
Stephens, Edward, 756.
......, George, 158 IX.
Sterling, Earl of. *See* Alexander, Sir W.
Stevens, Henry, Deputy Queen's Remembrancer, document signed by, 31, 343.
Stewart, Robert, Col., 180 VIII (*a*), 321, 893.
......, ..., letter to, 892 III.
......, Capt., R.N., 137, 322 I.
......, Thomas, Agent for Royal African Company, 583 VII., XLVIII.
Stillwell, Jno., document signed by, 157 I.
Stodard, Christopher, grievance of, 625.
Stone, Capt., 73, 831 II.
Stoner, Daniel, 194 II.
Stoodly, C., 487 II.
Story, Charles, 65 II.
Stoughton, Lt.-Governor of the Massachusetts Bay, 554 I., VI.
Stringer, Moses, Dr., proposal by, 526, 595.
Stripling, John, 890 III.
Stroude, Mrs., deposition of, 176, 176 I.
Stuckey, Philip, 890 III.
Stucley, Capt., R.N., commended, 58.
Studley, John, 890 III.
Subercasse, M. de, Governor of Placentia, and Port Royal, 60, 391, 554 I.
Suffield, boundary dispute, 691.
Sullivan, Kate, deposition of, how obtained, 532.
Sumers, Lord. *See* Sommers, John.
Summers, John, (Somers), case of, 126 I., 180 II., IV. (*f*), 583 XXV., 694.
Sunderland, Earl of, Secretary of State. *See* Spencer, Charles.
Supply, ship, 797.
Surinam, 230 II.
......, Government of, letter from, 583 II.
......, trade of, with New York 10.
Surveyor General of H.M. Woods, *See* Bridger.
Sutton, Edmund, 274, 502.
Swaine, Joseph, 180 IV. (*e*).
Swansey, Mass., 391.
......, warrant by select men of, 391 IV.
Swasey, John, deposition of, 554 I., V.
Sweden, 249.
......, potash export of, 27 VI.
Swettenham, John, arrest of, 459 I.
Swiss Protestants, proposal by, to settle in Virginia, 601 I., II., 639, 652, 697, 724.
Symes, Henry, 443 I., II.
Sym(e)s, Lancaster, 848.
Symms, Benj., 870.
Symon, N., 487 II.
Symonds, James, 187.
......, Rachel, affidavit of, 194 V.

T

Tadousack, 60.
Tanis, Don Joseph, 56 II.
Tankard, Barry, 116, 117, 336, 443 I., II., 532, 589 II.
......, ..., arrest of, 623.
......, ..., removed from Council of Antigua, 5, 200, 207, 209, 531.

Tapley, Richard, 756, 890 iii.
Tar, manufacture of. *See* Naval Stores.
Tar Bay, inhabitants of, conditions of ransom of, 890 iii., iv.
Tarleton, Capt. (Liverpool), 137.
Tate, Mathew, Capt., R.N., letter to, 794 ix.
Taverner, Abraham, examination of, 158 vii.
Taylor, Edward, 487 ii.
......, John, warrant of, 17 ii.
......, Joseph, Capt. R.N., Commodore for Newfoundland, 756, 887, 922.
......, ..., document signed by, 756, 890 viii., 911 xiii.–xv.
......, ..., Commission of, to command at land, 562 i., 566 i.
......, ..., Commissions given by, 756 (*b*).
......, ..., instructions, heads of enquiry, for, 562, 567, 567 i.
......, ..., report upon Newfoundland, by, 859, 859 i.
......, William, 216 iii., 604.
Taylour, John, Assistant Secretary to the Treasury, 66.
......, ..., letter from, 61, 527, 680.
......, ..., letter to, 536, 685.
Tebbetts, Thomas, 65 v.
Teller, William, deposition of, 554 i.
Temple, Capt., R.N., 554 i.
......, Sir Thomas, 554 i.
Tench, John, document signed by, 350.
Terrill, William, 274, 502, 577.
Tetherly, William, 158 ix.
Thacker, William, 756.
Thatcher, Thomas, 268.
Thera, Isle of. *See* Eleuthera.
Thibon, Jacob, deposition of, 150 xi., 484 xxviii.
Thing, Jonathan, 65 v.
Thomas, —— (Antigua), inquest on, 443 ii., 597 i.
......, Col. (Barbados), 381.
......, James, document signed by, 27 ii.
......, William, Councillor of Antigua, 117, 145, 852.
......, ..., document signed by, 443 i., ii.
......, ..., sloop of, seized, 589 xv.
Thom(p)son, Patrick 583 xxxviii.
......, ..., deposition of, 180 iv. (*c*)
Thompson, Col. (Jamaica), case of, 202, 227, 649.
......, John, trial of, 17 ii.
Thoms, Josiah, receipt by, 772.
Thurston, John, Agent for the Company at Newfoundland, 152, 158, 191.
......, ..., letter from, 300.
......, ..., letter to, 282.
Ticonnondadiha, Indian deserter, report by, 621 iv. (*c*).
Tiger, ship, 542.
Tilden, Richard, 242 i.
Tiverton, Mass., assessors of, imprisoned, 391.
Tobacco, export of, to France, freed, 249, 295.
......, guage of, 410.
......, low price of, 216, 216 i., 290, 883.
......, market, the, 216 i.
......, trade, the, 331, 651, 745, 913.
......, ..., depression in, 249.
......, ..., measures to improve, 295, 655.
......, in the Navy, 295.
Tobacco Plantations, the, present state of, (pamphlet), 249.
Tobago, Dutch in, 554 i.
......, English title to, 539, 554 i., 555.
......, French claim to, report upon, 554 i.
Tod, Joseph, 583 vi.
Tolson, Robert, letter from, 620.
Tomlinson, John, arrest of, 459 i.
Totterdale, Hugh, 247.
......, ..., document signed by, 451, 451 ii.
......, ..., suspension of, 142.
Tour, Claude de la, 554 i.
Townley, Richard, 819 i., 876, 921.
Townsend, Mr. (Barbados), 577.
Trade, 39, 60, 606; *and see* Naval Stores.
......, African. *See* African Company.
......, with Danes, 150.
......, with French, 617, 649.
......, ..., in South Seas 56; *and see* France.
......, fur, the, 60, 705, 739, 765.
......, ..., duty on, 632.
......, illegal, in the Plantations, 5, 10, 11, 19, 66, 116, 117, 148, 150, 186, 190, 192, 193, 209, 216 ii., 230, 257, 268, 284, 296, 323, 353, 381, 391, 484 xxi., xxii., 532, 589 i., xi.–xvi., 597 i., 625, 655, 831 ii; *and see under* the several Colonies.
......, ..., methods to prevent, 489.
......, with Indians, 655; *and see* Indians.
......, lumber, 391.
......, Mexican, the, 632.
......, negro, the. *See* Negroes; African Company.

Trade—*cont.*
......, Peruvian, the, 632.
......, with Portugal, 761, 779.
......, with Spain and Spanish West Indies, 301, 445, 445 i., 449 i., 649 ; *and see* Spain.
......, privateers, effect of, on, 445 i. ; *and see* Pirates ; Privateers.
......, sugar, the, 913.
......, tobacco, the, 745 ; *and see* tobacco.
......, between West Indies and the Continent, 60, 396, 448.
......, woollen, the, 391, 428, 445 i., 522, 542, 554 i.
...... and Navigation, Acts of, 32, 39, 39 ii., 41, 87, 331, 343, 368, 368 i., 391, 406, 421, 424, 652 ; *and see* Acts of Parliament.
......, ..., breaches of, 443 ii.
......, ..., instructions concerning 41, 368, 368 i.
TRADE and Plantations, Council of, 15, 61, 66, 126 i., 140 i., 150 ii., 154, 164–171, 282, 286, 298, 383, 490, 674, 688, 854 ; *and see* Popple, William ; German Protestant Refugees.
...., office of, 433.
...., office accounts of, 21, 159, 161, 303, 304, 436, 437, 613, 614, 774, 780, 877.
...., Commission of, 350, 373.
...., ..., enquiry concerning, 365.
...., ..., reply to, 373.
...., ..., establishment of, 350, 365, 373.
...., Commissioners of, 350.
...., ..., pensions of, enquiry concerning, 351, 361.
...., ..., quorum of, to remain in town, 782.
...., ..., ..., wanting, 759.
...., ..., records of, 433.
...., ..., representations of, request for decisions on, 294.
...., ..., salaries of, 350, 365, 373, 437, 560.
...., ..., ..., arrears of, 144, 877.
...., ..., summoned to town, 759.
...., ..., Secretary of, salary of, 433, 433 i., 437 ; *and see* Popple, W.
...., ..., ..., house for, 433.
...., circular letter from, concerning Acts of Trade, 41.
...., ..., Stores of War, 77.

Trade and Plantations—*cont.*
...., letters, instructions, representations etc. from, 15, 20, 21, 23, 24, 26, 30, 37, 38, 333, 341, 346, 352, 354, 380, 381, 382, 878.
...., ..., concerning :—
  the African Company and Trade, 330, 331, 913.
  Antigua, 232.
  the Assiento trade, 226 i.
  Ash, Isle of, 554 i.
  Bahama Islands, 291, 340, 606, 615, 733.
  Barbados, 29, 83, 88, 108, 210, 224, 224 i., 225, 225 i., 226, 226 i., 244, 248, 308, 317, 324, 352 i., 369, 423, 467, 559, 642, 664, 694, 700, 837, 844, 895.
  Bermuda, 46, 637, 643.
  Canada Expedition, 71, 89, 221, 221 i., 235, 554 i., 708.
  Carolina, 189, 284, 285, 333, 368, 412, 554 i., viii., 716.
  Governor Crowe, 352 i.
  Dominico, 554 i.
  Five Nations, the, 554 ix.
  French encroachments, 512, 516, 517, 519, 520, 554, 554 i.
  German Protestant Refugees, 38, 470, 501, 511, 553, 574, 594, 667 i., 685 i., 704, 705, 799, 822, 835, 835 i., 891, 891 i., 923.
  Hudson Bay, 554 i.
  Jamaica, 57, 67, 78, 87, 110, 111, 172, 208, 247, 408, 453, 473, 554 i., 636, 640, 667 i., 775, 776, 799, 822, 834, 835, 835 i., 871, 872, 900.
  Leeward Islands, 91, 186, 191, 200, 209, 245, 311, 359, 367, 459, 563, 630, 631, 641, 836.
  Maryland, 197, 203, 258, 296, 773, 820, 880, 883, 919.
  Massachusetts Bay, 58, 292, 430, 914, 914 i.
  Naval Stores, 429, 430, 914 i.
  Nevis, 9, 264.
  Newfoundland, 309, 314, 554 i., 566, 584.
  New Hampshire, 54, 58, 93, 185, 292, 307, 415, 430.
  New Jersey, 4, 732, 753, 778, 820, 821.

Trade and Plantations, letters, etc. from, concerning—*cont.*
  New York, 375, 400 i., 429, 544 i., 711, 712, 732, 753, 879, 891, 891 i., 923, 924, 924 i.
  Nova Scotia, 554 i.
  office expenses, 161, 304, 774.
  Governor Parke, 359, 367.
  their proceedings, to Parliament, 294.
  passes for Spanish ships, 463.
  pensions, 361, 406.
  Pennsylvania, 32, 717, 777.
  Portugal, 779.
  Mr. Rhodes, 251.
  St. Kitts, 9, 175, 313, 554 i.
  St. Vincent, 554 i.
  Sta. Lucia, 554 i.
  Office salaries, 437, 560.
  Seals for the Plantations, 40.
  Secretary's house, 433.
  Stores of War, 59, 77, 757.
  Swiss Protestant settlers, 652.
  tobacco trade, encouragement of, 249.
  Tobago, 554 i.
  trade, illegal, 284, 489.
  Treaty of Neutrality, 554 i.
  Virginia, 90, 186, 285, 295, 409, 412, 652, 655, 716, 771, 883, 920.
...., letters, addresses, instructions, memorials, orders, petitions, references to, concerning :—
  African Trade, 316, 327, 910.
  Antigua, 25, 117, 443, 638, 741.
  Bahama Islands, 270.
  Barbados, 39, 94, 96, 126, 129, 134, 140, 141, 156, 180, 222, 242, 262, 263, 272, 302, 346, 441, 484, 496, 502, 503, 513, 518, 518 i., 583, 586, 651, 651 i. 653, 656, 656 i., 684, 698, 709, 748, 749, 830, 853, 857, 907, 934.
  Bermuda, 18, 22, 72, 73, 101, 176, 231, 389, 390, 506, 507, 507 i., 508, 817.
  Canada Expedition, 85, 217, 605.
  Carolina, 233, 271, 297, 342, 402, 682, 687, 739.
  Connecticut, 323, 328, 371.
  French encroachments, 544, 546–548.

Trade and Plantations, letters, etc. to, concerning—*cont.*
  GermanProtestantRefugees, 14 i., 366, 485, 491, 495, 504, 526, 527, 550, 552, 570 i., ii., 593, 595, 657, 665, 680, 699, 742, 881, 882, 915, 918.
  Gordon, George, 338.
  Jamaica, 56, 68, 81, 139, 139 i., 142, 174, 202, 227, 339, 395, 444, 451, 452, 474, 483, 525, 525 i., 542, 543, 573, 649, 657, 665, 699, 720, 737 i., 742, 763, 785, 812 i., 867, 868, 912.
  Leeward Islands, 5, 25, 109, 116, 149, 150, 181, 182, 192, 193, 194, 465, 487, 505, 524, 529–532, 541, 587–591, 597, 736, 852, 869, 873, 909.
  Maryland, 131, 265, 289, 290, 410, 671, 707, 745.
  Massachusetts Bay, 17, 33, 151, 391–394.
  Naval Officers, 39.
  Naval Stores, 17, 70, 428.
  Nevis, 7, 25, 250, 546, 547, 693.
  Newfoundland, 49 i., 158, 158 ii., v., vi., 195, 288, 300, 345, 486, 535 i., 548, 558, 558 i., 619, 859, 859 i., 911, 922.
  New Hampshire, 2, 17, 19, 65, 114, 123, 155, 212, 260, 306, 391–394, 422, 458, 663, 693.
  New Jersey, 400, 578, 621, 721, 819, 819 ix., 876.
  New York, 10, 11, 107, 157, 252, 400, 405, 545, 578, 621, 627, 721, 768, 802, 804, 850, 851, 881, 882, 903, 915, 918, 932.
  Pennsylvania, 12, 289, 450, 481, 579, 703.
  passes for Spanish ships, 177, 305 i., 372, 449, 449 i.
  pensions, 351.
  pirates, 557, 557 i., 620, 620 i.
  Portugal, trade with, 761.
  Port Royal, 533, 533 i.
  Rhode Island, 228–230.
  St. Kitts, 6, 25, 484 xxxiv., 546, 547.
  Seals for the Plantations, 16, 805.
  Stores of War for the Plantations, 746.
  Swiss Protestants, settlement of, 601, 639.

Trade and Plantations, letters, etc. to concerning—*cont.*
  Virginia, 137, 181, 215, 216, 216 I., 297, 421, 571, 601, 650, 650 I., 692, 726, 765, 897.
Traders, separate. *See* African Co.; Negroes.
Transport, Commissioners of, 801.
......., ..., letters to, 788.
Trant (Hanth), Thomas, 443 I., II.
Trapham, Dr., 573 II.
Treasurer, The Lord High, 43, 51, 55, 58, 61, 61 I., 107, 116, 119, 171, 353, 380, 381, 443 II., 602, 649, 666, 671, 680, 693, 799, 823, 826, 872; *and see* Godolphin, Sidney; Lowndes, William; Taylour, John; Customs, H.M. Commissioners of.
Treasury, the, 5.
Treaty of Breda, 554 I.
...... of Peace and Neutrality, 544 I., 554 XIII.
...... of Ryswick, 522, 523, 554 I.
Trepasty, Harbour of (Newfoundland), 554 I.
Tribbeko, John, 551, 592.
......., ..., document signed by, 581.
......., ..., letter from, 495, 501, 593.
Trimingham, John, 72.
Triton's prize, H.M.S., 10.
......., ..., deserters from, 924 I., 925.
......., ..., ship taken by, 396.
Trois Rivières, 60, 196, 217, 602, 621 IV. (*b*).
Trot(t), Perrion (Perient or Periham), wife of, murdered, 870.
......., ..., Deputy Naval Officer, S. Carolina, 752.
...... (?Nicholas), Proprietor, Carolina, case of, 455.
Troy River. *See* Trois Rivières.
Tryon, Rowland, 13, 124, 321.
......., ..., letter from, 534, 539, 766.
......., ..., letter to, 516.
......., William, 321,
Tucker, Capt. (Bermuda), 72.
......., Henry, deposition of, 231 I.
......., John, 158 IX., 756, 890 III.
......., William, deposition of, 231 I.
Turberville, Fortescue, 419.
......., ..., Commission of (Carolina), 509.
Turbill, John, 398, 420.
Turks Islands, taken by French, 448.
......., trade with Rhode Island, 230 II.
Turner, Sir Charles, Commissioner of Trade, 350.
Turtola, 597 I.
Turton, Gervas, 443 I., II.
Tuthill, Zec., document signed by, 394 V.
Tuttle, John, 65 V.
Twichtwichts, the, 107.
Tynte, Edward, Major, Governor of Carolina, 752.
......., ..., H.M. approbation of, 271.
......., ..., commission of, 234.
......., ..., instructions of, 368, 368 I., 424, 744.
......., ..., grants to. 426, 468.
......., ..., security given by, 271, 343.
......., ..., warrant to, 464, 469, 829.
Tyrwhitt, George, deposition of, 583 XXXVIII.
Tyson, Margaret, 194 II.

U

Ubanks, Daniel, deposition of, 176 IV.
Union, sloop, case of, 484 XXXIX.
Union, Act of, publication and welcome of, in the Plantations, 10, 11, 16, 33, 33 I., 65 IV., 79, 131, 230, 243, 323, 391, 392, 443 I.
Unity, ship, 252.
Upton, Arthur, deposition of, 190 IV. (*c*). 857 V.–VII.
Urven, Nathaniel, 765 I.
Usher, John, Lt.-Governor of New Hampshire, 58.
......., ..., claim of, 663.
......., ..., complaints by, 260, 260 I., 422.
......., ..., deposition by, 118.
......., ..., letter from, 2, 260, 260 I., 422, 663.
......., ..., salary of, unpaid, 260, 663.

V

Val, Peter du, 554 I.
Valeur, La, French man of war, engagement of, 529 III.
......., H.M.S., 195.
Vanbell, 625.

Vanbrugh, William, Commissioner for stating arrears, 877.
Vanderesse, M., 433.
Vane, E., Capt., engineer, Newfoundland, 890 ii., 911 ix.
......, ..., letter from, 223 vii.
Varazonus, John, 554 i.
Vassall, Samuel, 451 i.
Vaudreuil, Marquis de, Governor General of Canada, Governor of Quebec, 60, 107, 391.
......, ..., letter from, intercepted, 533 i.
......, ..., offers rewards for scalps, 30.
......, ..., prepares attack upon New England, 391.
Vaughan, George, Agent for New Hampshire, 2, 2 i., ii., 30, 58, 260, 391, 392, 663.
......, ..., complaints against, 422.
......, ..., document signed by, 45, 65 v.
......, ..., letter from, 19, 393.
......, ..., memorial of, 54, 65 i.
Vaughan, James, 180 viii. (*b*), 274, 502.
......, John, Earl of Carbery, (Lord Vaughan), 822, 823, 827, 835 i.
......, ..., letter to, 775, 810, 826.
......, ..., proposal for settling German Refugees, 832 ii.
......, ..., surrender of lands in Jamaica by, 846, 846 i.
......, Robert, 583 vii.
Venus, French man of war, 890 ii.
Vera Cruz, 339, 411 i., 451, 473, 483, 632, 785.
......, French and Spanish fleets at, 174, 542, 649, 872, 912.
Vetch, Samuel, Col., 498, 578, 621, 670, 794 i., ii.
......, ..., at Boston, 604, 617, 629, 694.
......, ..., at New Jersey, *p.* 404.
......, ..., at New York, 578, *p.* 402.
......, ..., at Rhode Island, 604.
......, ..., "Canada Survey'd," memorial by, 60.
......, ..., Canada Expedition against, proposal for, 60, 71, 71 i., 85, 196, 235.
......, ..., ..., report upon, 89, 221, 221 i.
......, ..., ..., instructions for, 387, 388, 475, 476, 794 i.
......, ..., ..., preparations for, report upon by, 666.
......, ..., ..., sails on, 476.
......, ..., Canada, request to be appointed Commander in Chief of, 602.
Vetch, Samuel—*cont.*
......, ..., case of, 391.
......, ..., document signed by, 794 i., ii., 819 vi., 922 ii.
......, ..., letter from, 217, 602–605, 794, 794 vii., ix., x., 798.
......, ..., letter to, 580, 612, 922 i.
......, ..., reward of, petition for, 602, 666.
Villa Nova, Don Michael de, Spanish Vice Admiral, 56, 56 ii.
Villebon, M. de, Governor of Nova Scotia, 554 i.
......, ..., letter from, 554 vi.
Vineens, John, 487 ii.
Vincent, Anne, 484 xii.
......, ..., petition of, 484 xii.
......, John, 484 xii.
Virgin Islands, trade with Carolina, 739.
Virginia, 10, 131, 531, 726; *and see* Byrd, William; Hunter, Robert; Nott, Edward; Orkney, Earl of.
......, Act *for ascertaining rates of coin etc.*, published in, 765 ii.
......, Act *to encourage trade in America*, published in, 421, 765 ii.
......, Act *concerning hogsheads*, confirmed, 765 ii.
......, Act *for settling Militia*, 216.
......, Act *regarding orphans*, 692.
......, Act *for establishing ports and towns*, 489, 863.
......, ..., repeal of, 906,
......, ..., report upon, 661, 883.
......, Act, the Revenue, repealed, 765 ii.
......, Acts of Trade, instruction concerning, 421.
......, Agent of. *See* Blakiston, Col.
......, Assembly of, 137, 295, 421, 888.
......, Auditor General of, 765.
......, Blackwater Swamp, 216 i.
......, boundaries of, dispute with Carolina, 216 i., 285, 295, 402, 412, 434, 655, 765, 771, 813, 828.
......, ..., Commissioners to settle, 285, 297, 655, 678.
......, ..., ..., payment of, 435.
......, British goods, demand for, in, 165.
......, College of William and Mary, 216, 216 ii.
......, ..., revenue of, 216, 216 ii,
......, ..., trustees of, address of, 216 ii.
......, Convoys for, 60, 137, 254, 261, 346, 355, 571.
......, ..., recommended for, 216 i.

Virginia, Convoys for—*cont.*
......, ..., requested for, 80.
......, corn, embargo on, 765, 765 II.
......, ..., export of, 779.
......, Council of, 90, 98, 137, 295, 409, 451, 571, 765.
......, ..., minutes of, 137, 216, 216 II., 765.
......, ..., replies of, 216 I., 655.
......, Councillors of, 121, 216, 216 III.
......, debtors of, harboured in Proprietary Governments, 216 I., 655.
......, defence of, 26, 137, 216 I., 261, 421, 571, 655, 668, 765.
......, drought in, 765.
......, embargo in, 604, 765, 765 II.
......, emigration from, to Carolina, 216, 216 I., 765.
......, exports and imports of, 216 I., 295, 655, 765, 779.
......, fast proclaimed in, 765 II.
......, French attack upon, 421.
......, German Protestant Refugees, settlement of, proposed, 705.
......, Governor of, 137, 771, 888; *and see* Hunter, Robert; Nott, Edward; Orkney, Earl of.
......, ..., instructions to, 384, 652.
......, ..., ..., for recovering Bahama Islands, 658, 660.
......, Governor and Council of, 412.
......, Governor's house, 137, 295.
......, guardships of, 137, 253, 254, 295, 571, 655, 668, 765, 794 XI.
......, ..., demanded for, 137, 165, 216 I., 261, 421, 607.
......, ..., hired for, 421.
......, ..., ordered for, 432, 608.
......, Lt.-Governor of. *See* Jenings, Edmund.
......, Lt.-Governor and Council of, address to, 216 II.
......, Indian murderer, reprieve of, 186, 295.
......, Indians, the, 26, 165.
......, ..., danger from, 609.
......, ..., Saponies, the, 137.
......, ..., ..., grant of lands to, 295.
......, ..., ..., taken under protection, 765 II.
......, ..., trade with, 181, 655, 771.
......, ... traders, goods of, seized by Carolina, 165, 189, 216, 216 I., II., 295, 341, 342, 682, 765, 765 I.
......, ..., ..., order concerning, 750, 760.

Virginia, Indian traders—*cont.*
......, ..., ..., report upon, 716.
......, ..., the Tuscoruro, 295.
......, ..., ..., murder by, 137.
......, ..., ..., trade with, prohibited, 137, 765 II.
......, ..., Western, trade with, 716.
......, inhabitants of, 216.
......, lands of in, grants of, instruction concerning, 346 I., 384, 409, 652, 655, 765.
......, lands in, reversal to old method of granting urged, 216 I., 285, 297.
......, ..., want of, 216 I.
......, Maherine River, 137.
......, manufactures, linen, woollen etc., in, 165, 216 I., 249, 295, 651, 883.
......, ..., discouraged, 655.
......, merchants trading to, 261.
......, Militia of, 421.
......, ..., list of, 216 IV.
......, Naval Stores in, 216 I.
......, Negroes, 73, 216, 216 I., 421.
......, ..., imports and prices of, 10, 215, 215 I., II., 655, 855, 855 I.
......, ..., numbers required for, 331.
......, Pamunkey Neck, 216.
......, peaceful condition of, 765, 888.
......, pitch and tar, 216 I.
......, ports of, 216 I.
......, post, 10.
......, privateers of, 137, 765.
......, ..., enemy, losses from, 26, 216 I., 421, 691, 794 II.
......, Proclamations issued in, 765, 765 II.
......, quit rents, 137; amount of, 295.
......, Receiver General of, 765.
......, Revenue of, 421, 435.
......, ..., accounts of, 137, 295, 765.
......, Seal, new, for, 40.
......, seamen, desertions by, 765 II.
......, shipping, 216.
......, sickness in, 137, 765 II.
......, stores of war in, accounts of, 421,
...... Swiss Protestants, settlement of, proposed, 601 I., II., 639, 652, 697, 724.
......, tobacco crop, 765.
......, ..., exports of, 216 I., 655.
......, ..., hogsheads, guage of, 290.
......, ..., production of, 216 I.

Virginia, tobacco crop—*cont.*
......, ..., low price of, 216, 216 I., 249, 883.
......, ... trade, the, 137, 216 I., 651.
......, ..., effect of depression in, 249.
......, ..., measures to encourage, 295, 655.
......, trade of, 216 I., 421, 651 ; *and see* Virginia tobacco.
......, trade with Barbados, 174, 216 I., 779.
......, trade with Bermuda, 231 IV.
......, trade with Carolina, 739.
......, trade fleets, 10, 107, 216 I., 233, 254, 261, 295, 571, 655, 765.
......, trade, illegal in, 655.
......, trade, illegal, measures to prevent, 216 I., 489.
......, trade with Indians, 216 I. ; *and see* Virginia, Indians.
......, trade with Leeward Islands, 779.
......, trade with Massachusetts Bay, 391.
......, trade of, with other Plantations, 216 I.
......, trade with Rhode Island, 230 II.
......, vines, cultivation of, 705.
......, vineyards in, 932.
......, Williamsburgh, Rector of, 650 I.
Virgin Queen, privateer, 484 XX.
Virnon, Capt., 143.
Vollard, Petre, 487 II.

W

Wager, Rear Admiral, 339, 376, 451, 473, 649.
......, ..., engagement and capture of Spanish galleons by, 56, 56 II., 68, 69, 87, 135, 167, 174 II., 208, 490, 499.
......, ..., commendation of, 208.
......, ..., leaves Jamaica, 214, 720, 722.
......, ..., letter to, 227.
......, ..., search for Spanish ships by, 56.
......, ..., trial of Captains of, 135.
Wagrasshse, Indian spy, examination of, 621 IV. (*a*).
Wakem, John, 890 III.
Waldron, Lawrence, deposition of, 908 II., III.
......, Richard (N.H.), 2, 30, 65 V., 260, 292, 663.
Walker, Alexander, 180 VIII. (*a*), 352 I., 749 ; *and see* Barbados, Councillors, the Three.
......, ..., bribery attempted by, 513 VIII.
......, ..., case of, 396, 396 IV., 583 XXXIII.
......, ..., charge against, 141 III., 180 IV. (*j*), 222, 222 V.
......, ..., ..., reply to, 222, 222 I.–V., 248.
......, ..., charges by, against Crowe, 129, 178, 224 I., 320.
......, ..., ..., reply to, 180 IV. (*b*).
......, ..., depositions concerning, 857, 857 IV.–VII.
......, ..., letter from, 126, 156, 156 IV., 178, 583.
......, ..., petition of, 222 I., III.
......, ..., proceedings against, 642.
......, ..., removed from Commission of Peace, 583 VI.
......, ..., representation of, 126 I., 178, 179, 180 I.
......, ..., restoration of, 356, 370, 379, 380.
......, ..., summons against, 180 IV. (*g*).
......, ..., suspension of, from Council, 156, 178, 179, 317, 583 VIII., IX.
......, ..., ..., reasons for, 324.
......, ..., ..., ..., reply to, 180 II.
......, John, 65 V.
......, Mathew, 152.
......, Samuel, deposition of, 150 XII., 484 XXVII., 624 (*a*).
......, William, 180 II., 690.
......, ..., bribery attempted by, 513 VII.
......, ..., memorial of, 180 VIII. (*a*), (*b*).
......, ..., petition of, 222 I.
......, ..., proceedings against, 396, 396 IV., 642.
......, ..., trial of, evaded, 518 I.
Waller, Leonard, 484 XIII., 589 I.
Wallis, John, 890 III.
Walter, John, document signed by, 321 (*and see* Watter).
Walter, Mrs., Barbados, case of, 126 I., 180 II., 180 IV. (*h*).
Walters, Robert, 10 I., 802, 924 I., 928.
Walton, Shadrach, 65 V., 260 I.
......, ..., documents signed by, 394 VI., VII.
Wanton, William, Col., 230, 604.

Ward, Edmund, document signed by, 157 I.
......, John, speaker of Assembly, St. Kitts, 597 I.
......, ..., petition and case of, against Governor Parke, 484 XXXIV.–XXXVII., 625.
Warner, Jonathan, clerk of the Council, Mountserrat, deposition of, 484 XXX.
......, Philip, Col., 554 I.
......, Sir Thomas, Governor of St. Kitts, 554 I.
......, Thomas, Col., Deputy Governor of Dominico, 554 I.
......, Thomas (Carib), 554 I.
Warren (?Christopher), Barbados, 180.
Warters, J., deposition of, 360.
Warwick, H.M.S., 195.
Washington, Thomas, document signed by, 187.
Waterman, Humphry, case of, 126 I., 180 II., 180 IV. (*h*), 694.
......, ..., deposition of, 583 XXVI.
Watkins (Wattkins), Samuel, Chief Justice, Antigua, 150, 443 I., II., 531, 532.
......, ..., case of, 484 XIII., 589 I.
......, ..., character of, 182.
......, ..., deposition of, 484 XVII.
......, ..., mandamus to, 484 XXXII.
......, ..., murder by, 597 I.
......, ..., resignation of, 597 I.
......, ..., warrant to, 484 XVI.
Watkins, Giles, 443 I., II., 484 XIV., 589 I., III., VII., 597 I.
Watkinson, Edmund, 657 I.
Watlington, John, 487 II.
Watter, John, 321, 583 XXXIII.
Way, Benjamin, 657 I., 737 I., 742.
......, ..., letter from, 106.
......, ..., petition of, 525, 525 I.
Weatherill, John, 487 II.
Weatherly, Capt. (Antigua), murder of, 597 I.
Webber, Bartholomew, 890 III.
......, Jona., 756.
Weeks, Edward, 890 III.
Weir, Robert, 487 II.
Wells, 391.
......, bounds of, 17 II.
Wenham, Thomas, Col., Councillor of New York, 848, 849, 924 I., 928.
......, ..., death of, 767.
......, ..., document signed by, 157 I.
......, ..., petition against, 850.
Wentworth, John, Capt., 124.
......, ..., deposition of, 349.
Werden, Sir John, Commissioner of Customs, document signed by, 27 V., 661.
West Indies, the. *See* Plantations, the.
......, corn imported into, 779.
......, defence of, 421.
......, dependent upon Northern Plantations, 221 I.
......, Expedition, the. *See* Canada; Newfoundland.
......, French encroachments in, 512, 516; *and see* France.
......, packet boats for. *See* Dummer, E.; packet boats.
......, the Spanish, 69, 331.
......, ..., negroes imported into, 525 I.; *and see* Spain.
......, trade with America, 60, 396, 448.
......, trade with Connecticut, 323.
......, trade with French, 382.
......, trade with Ireland, 766.
......, trade with Massachusetts Bay, 391.
......, trade with New England, 151.
......, trade with New Hampshire, 19.
......, trade with New York, 10, 157 I.
......, trade with Spanish, 134 I.; *and see* Spain.
......, wages of sailors for, *p.* 48.
Westmore, James, 487 II.
Weymouth, H.M.S., 396, 487, 505, 597 I., 684, 709.
Whale boats, use of, 604.
......, fishery, 522, 554 I.
Wheeler, —— (N.J.), 11 I.
Wheelwright, John, 391 I.
Whetham, Thomas, Brigadier, Commander in Chief, Canada Expedition, instructions to, 492, 497, 498.
......, ..., regiment of, 194.
Whetstone, Lt.-Col. (Barbados), 583 LII.
Whitchurch, James, 737 I., 742, 799, 835, 835 I.
......, ..., case of, 81.
......, ..., document signed by, 657 I.
......, ..., letter from, 763.
......, ..., letter to, 754.
......, ..., petition of, 247.
......, ..., ..., reply to, 142, 142 I.
White, Arthur (Newfoundland), 756.
......, Leonard, Councillor, Bermuda, 72, 637, 647.
Whitehall, Sir J. Stanley's house in 433.
Whitehead, Jonathan, document signed by, 157 I.
Whitington (Whittington), William, Councillor, Maryland, 131, 258, 337.

Wibird (Wiberd), R., affidavit of, 118, 162.
......, ..., document signed by, 65 v.
Wickham, John, 487 ii.
......, Samuel, 487 ii., 589 iv.
......, ..., deposition of, 116 i., 150 vii., 589 v.
Wickley, John, 158 ix.
Wiginton, [?Henry], Secretary of Carolina, 233, 342, 424.
Wilcox, Lt., complaint against, 163.
Wilkinson, John, Master, R.N., 529 iii.
Willett, John, Councillor, St. Kitts, 9, 319, 531.
Willett, William, 10 i.
......, ..., document signed by, 157 i.
William III., King, 33, 433, 554 i.; *and see* Arrears.
William, Edward, 381.
Williams, Richard, petition of, 180 iv. (*f*), 583 xxv.
......, Rowland, Councillor and Naval Officer, Antigua, 5, 443 i., ii., 531, 597 i.
......, Thomas (Newfoundland), 756.
......, ... (Antigua), 443 i., ii.
......, Capt., marooned, 870.
Williamsburgh, 432.
......, Va., Rector of, 650 i.
Williamson, Edmund, Commissioner for stating arrears, 877.
Willicot, Robert, 756.
Willoughby, Francis, Lord, 554 i.
......, William, Lord, instruction to, 554 i.
Willson, Adrean, 870.
......, Richard, 890 iii.
Wilson [?Ebenezer], N.Y., 10 i.
......, ..., grant to, 848.
......, Thomas (N.H.), 65 v.
......, William (Va.), 216 iii.
Wiltshire, Richard, 587 vii.
Winchen, —— (Newfoundland), 911 ix.
Winchelsea, H.M.S., 223.
Windmill Point (Carolina), 739.
Windsor, H.M.S., 396.
Windsor, boundary dispute, 691.
......, Samuel, 890 iii.
......, Thomas, 151, 228.
Winget, Joshua, 65 v.
Winslow, Isaac, 391 i.
Winthrop, Wait, 391 i.
Witham, John, Sir, 180 iv. (*i*).
......, ..., estate of, 583 xv.
Withywood, 573.
Wiwanda, 848.
Woodbridge, 11.
Woodbridge,—*cont.*
......, Dudley, Judge of the Admiralty Court, Barbados, etc., 857.
......, ..., deposition of, 318, 321, 362.
Woodcock, —— (Jamaica), 667 i.
Wood Creek, Fort at, 666, 691, 794, 794 i.
......, ..., preparations at, for Canada Expedition, 387, 604, 629, 666, 691.
Woodmason, William, 890 iii.
Woods, H.M., in America, preservation and waste of. *See* Bridger, J.; Massachusetts Bay; New Hampshire.
Woodstock, Elizabeth, deposition of, 908 iv.
Woodward, John, account of Placentia by, 195, 195 ii.
Woollen, manufactures, 883.
......, in the Plantations, 216 i., 249, 295, 323, 651, 663; *and see under* the several Colonies.
Woollen trade, the, 522, 542, 554 i.; *and see* Trade.
Wren, Capt., R.N., 554 i.
Wyke, George, 484 xxx.
Wright, John, 487 ii., 589 iv.
......, ..., document signed by, 487 ii.
......, Mrs., wife of preceding, 597 i.
......, ..., deposition of, 589 iv.
Wynter, Arthur, 56 i.

Y

Yeamans, John, Lt.-Governor of Antigua, 5, 116 ii.
......, ..., charges against, 590, 878.
......, ..., ..., reply to, 588, 598.
......, ..., document signed by, 150 ii., 589, 589 ii.
......, Robert, 274.
......, William, 487 ii.
York (N.E.), bounds of, 17, 17 ii.
......, Duke of, case of, 293.
...... River, Va., 137.
Young, ——, master of ship, 10.
......, Samuel, 131, 707.
......, Thomas, affidavit of, 194 viii.

Printed under the authority of His Majesty's Stationery Office,
by Burgess & Son, Abingdon-on-Thames.